



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

August 8, 1986

N. J. Department of Environmental Protection
Division of Environmental Quality
CN 027

Trenton, NJ 08625

ATTN: Mr. A. McHanon- *McMahon*
Asst. Director Enforcement Element

Dear Mr. McHanon- *McMahon*

Heubach, Inc. requests an extension concerning Permits & Certificates required as references in letter dated May 12th, 1986, by Mr. Allan T. Edwards and Log #A860475 MRO. Permit applications were submitted on May 30th, 1986, but have not been issued to date.

Sincerely,

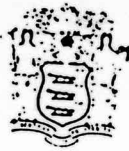
HEUBACH, INC.

Ralph W. Hennings

Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH:mr

Att.: Letter dated 7/22/86 from Mr. Bob Coleman
Copy of check dated 5/30/86.
Copy of letter to NJDEP/BAPC 5/30/86.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
JOHN FITCH PLAZA, CN 027, TRENTON, N.J. 08625

CONTACT: RALPH W. HENNINGS
COMPANY: HEUBACH INC
ADDRESS: HEUBACH AVENUE
NEWARK, NJ 07114
PHONE:

7/22/86

REFERENCE: YOUR AIR POLLUTION APPLICATION(S)
LOG NUMBERS 1-86-2025 to 1-86-2029
STACK DESIGNATIONS

DEAR : MR HENNINGS

Your application(s) are deficient for information and are returned to you with this letter. Complete the information requested below and return this letter and the forms with your information. All the information requested is required to further evaluate your application. Incomplete information will result in a DENIAL of the permit pursuant to N.J.A.C. 7:27-8.5.

These forms must be returned within 90 days of the date referenced above. Please forward them to the undersigned, reference the applicable log numbers and indicate that the application being filed as a return. Do not file new applications. Should we not receive these forms and the required information within the 90 days, the applications will be DENIED pursuant to N.J.A.C. 7:27-8.5.

Any request for a PERMIT and CERTIFICATE after a DENIAL has been issued will require a new application and fee pursuant to N.J.A.C. 7:27-8.6(b).

FORM VEM-003

SECTION A - LINE: 1 2 3 4 5 6 7 8 9

SECTION B

SECTION C - LINE: 1 2 3 4 5 6 7 8 9

SIGNATURE: The signature must be that of an officer of the organization appearing in Section A, Line 1.

SECTION D: Provide a sketch of the sources, control devices and stack.

SECTION E - LINE: 1 2 3 4

SECTION F: Give details as per the attached sheet.

SECTION G - Emissions of all pollutants must be listed by name, and an amount given for each in pounds per hour. "None", "Nil", "Trace", "Negligible"... are not acceptable. If it will be a convenience to you "less than _____ #/hr or a similar statement may be entered.

SECTION H: A - LINE: 1 2 3

B - LINE: 1 2 3 4 5 6 7

C - LINE: 1 2 3 4

D - LINE: 1 2 3 4 5 6 7 8

IF THE FOLLOWING IS THE CASE, WE REQUIRE A STATEMENT FOR:

SMOKE: Will not be darker than # _____ on the Ringelmann scale.

ODOR: There will be no odor beyond the property line.

VISIBLE ASH: None emitted from this unit.

The above statement can be included in Section D.

ADDITIONAL FEE REQUIRED: \$ _____

FOR ADDITIONAL INFORMATION CALL: (609) 984-3034

Bob Coleman
New Source Review Section

attached letter

(Please see ~~reverse~~, if any additional comments have been made)

HEUBACH INC.
NEWARK NJ

REFERENCE: our log numbers 1-86-2025 thru 1-86-2029

Comment: You supplied five permit applications. There appear to be only three independent systems. In particular, you have referenced the same source in two permits. I suggest we consolidate (a.) 2025 with 2027 and (b.) 2028 with 2029. It is important to note that since you list tetrachloroethylene in the permits, the sources are subject to subchapter 17. Testing will be required.

Additional information requests:

1. 2025 is a dust collector for two sigma mixers and one glass-lined reactor. However, the glass-lined reactor also has a vent to a scrubber in #6 building. This needs more information. I have attached form DEQ-069 M for scrubbers. Are other sources connected to this scrubber? If so, These need to be identified and a green VEM-004 completed for each.
2. 2025 shows the condenser on sigma mixer #1. Please complete form DEQ-069 H for the condenser. You have listed emissions of 0.0 pounds per hour before and after control for ethylene glycol and tetrachloroethylene. If the emissions are zero then they do not need to be listed. If you suspect some small (almost unmeasurable) rate of emissions then put < 0.1 #/hr (or < 0.01 if the substance is listed in chapter 17, as is tetrachloroethylene). There is not a condenser on sigma mixer #2. If the proposed condenser is successful, will one be put on mixer #2? If the condenser is unsuccessful, what alternate plans do you have?
3. 2026 shows a dust collector with two ball mills and a drum discharge station. What does the discharge station come from?
4. 2028 shows a rotoclone with vats 280, 281, and 282. Vat 282 also has separate vent. Please describe its use and emissions. Vat 280 has a proposed separate vent similar to vat 282. Please describe its use and emissions. Also show how these sources interrelate to one another (worst case is that all can run at the same time). Emissions rates of 0.0 are not allowed. As in item 2 above, please change the rates.

RBC 7/22/86



HEUBACH INC.
256 VANDERPOOL STREET
NEWARK, NEW JERSEY 07114
201-242-1800

May 30, 1986

New Jersey Department of
Environmental Protection
Bureau of Air Pollution Control
CN-027
Trenton, N.J. 08625

Gentlemen:

Enclosed are five applications for permits to comply with
letter dated May 12, 1986 by Allan T. Edwards part 2.

A total fee of \$1250.00 is enclosed.

If there are any questions, please contact me at:

(201) 242-1800, Ext. 335

Sincerely,

Ralph W. Hennings
Senior Engineer
Environmental & Safety

Enclosed: Allan T. Edwards' letter dated 5/12/86



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, NJ 08625



IN THE MATTER OF
HEUBACK, INC.
265 VANDERPOOL STREET
NEWARK, N.J. 07114
LOG #A860475 MRO

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

1. As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and (by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.)*

ORDER

2. NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
3. Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.

* Please note that this statement is incorrect, vat 180 1/2
dump hood was and is connected to the hit-done.
Permit/Certificate #71542 is OK as written. 5/20/86



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

May 23, 1986

New Jersey Department of Environmental Protection
Division of Waste Management
120 Route 156
Yardville, NJ 08620
ATTN: Mr. Thomas Brady

Dear Mr. Brady:

The "Closure Plan" Procedure, PG-0012, is completed and in effect.
If you would like a copy of this procedure as well as PG-0020,
Waste Material Analysis Plan, please call me at (201) 242-1800,
ext. 335.

Sincerely,

Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH:mr



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027,



LOG # 1860475 MRO ORDER COMPLIANCE
EFFECTIVE 11/19/86 EXTENDED TO 11/19/87

- ☐ SUBMIT P/CT APPLICATION(S)
☒ COMPLETE OUR REVIEW OF P/CT
☐ COMPLETE STACK TEST/ANALYSIS
☐ CONFERENCE AND/OR HEARING REQUEST

Harold E. Christoff
for A. McMillan

IN THE MATTER OF
HEUBACK, INC.
265 VANDERPOOL STREET
NEWARK, N.J. 07114
LOG #A860475 MRO

NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

- As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (TD #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.

ORDER

- NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
- Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027



LOG # A860475 MRO ORDER COMPLIANCE
EFFECTIVE 8/14/86 EXTENDED TO 11/17/86
☐ SUBMIT P/CT APPLICATION(S)
☒ COMPLETE OUR REVIEW OF P/CT
☐ COMPLETE STACK TEST/ANALYSIS
☐ CONFERENCE AND/OR HEARING REQUEST
☐ _____

IN THE MATTER OF
HEUBACH, INC.
265 VANDERPOOL STREET
NEWARK, N.J. 07114
LOG #A860475 MRO

ADMINISTRATIVE ORDER AND
NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

1. As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.

ORDER

2. NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
3. Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.

RECE'D.
HEUBACH AUG 25 1986



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, NJ 08625



IN THE MATTER OF	:	ADMINISTRATIVE ORDER AND
HEUBACH INC.	:	
256 VANDERPOOL STREET	:	NOTICE OF CIVIL ADMINISTRATIVE
NEWARK, N.J. 07114	:	
LOG #A871303 MRA	:	PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

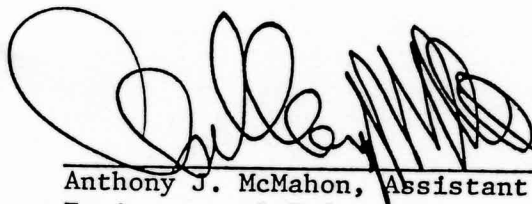
1. As the result of an investigation conducted on September 1, 1987, the Department has determined that at your facility located at 256 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT #013294) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by burning natural gas in the Erie City boiler covered by the above listed Permit/Certificate. Natural gas is not listed as a fuel on Permit/Certificate #013294.

ORDER

2. NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before November 5, 1987, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
3. Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.

4. Pursuant to N.J.S.A. 26:2C-14.1 you are entitled to a hearing if aggrieved by this Order and Notice. Application for such a hearing must be received by the Department within twenty (20) calendar days from receipt of this Order and Notice. In applying for such hearing, you must furnish the Department with the information listed in Paragraph A of Attachment I. If no request for a hearing is received within twenty (20) calendar days, this Order and Notice shall become a final Order and the Penalty will then become due and payable. A hearing request does not stay the terms or effect of this Order.
5. The provisions of this Order and Notice shall be binding on you, your principals, agents, employees, successors, assigns, tenants and any trustee in bankruptcy or receiver appointed pursuant to a proceeding in law or equity.
6. No obligations imposed by this Order and Notice, with the exception of Paragraph 3, are intended to constitute a debt, damage claim, penalty or other civil action which should be limited or discharged in a bankruptcy proceeding. All obligations imposed by this Order shall constitute continuing regulatory obligations imposed pursuant to the police powers of the State of New Jersey, intended to protect the public health, safety and welfare.
7. NOTICE IS GIVEN, that pursuant to N.J.S.A. 26:2C-19(b) and N.J.S.A. 26:2C-19(d), any person who violates the provisions of the Act, or any code, rule regulation or order promulgated or issued pursuant thereto, or who fails to pay a civil administrative penalty in full, shall be liable to a penalty of up to \$10,000 for the first offense, \$25,000 for the second offense, and \$50,000 for the third and each subsequent offense.

Dated: October 15, 1987



Anthony J. McMahon, Assistant Director
Environmental Enforcement

CERTIFIED MAIL

AIR ATTACHMENT I

- A. The applicant in its application for an administrative hearing shall furnish the Department with the following:
- (a) A statement of the legal authority and jurisdiction under which the hearing or action to be taken is to be held;
 - (b) A reference to the particular sections of the statutes and rules involved;
 - (c) A short and plain statement of the matters of fact and law asserted; and
 - (d) The Order or Notice provisions to which the applicant objects, the reasons for such objections, and any alternative provisions proposed by the applicant.
- B. Any submission of information required by the attached Order and Notice shall be made to:
- Anthony J. McMahon, Assistant Director
Environmental Enforcement
Department of Environmental Protection
Division of Environmental Quality
CN-027
Trenton, New Jersey 08625
- C. Should you have any questions concerning this Order and Notice, please contact Mr. Marvin C. Makler, Supervisor, Administrative Actions, at (609) 984-9480.



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

May 6, 1986

New Jersey Department of
Environmental Protection
Division of Waste Management
120 Route 156
Yardville, N.J. 08620

Attn: Thomas Brady

Dear Mr. Brady:

Listed below are the corrective measures taken to attain compliance of the noted violations.

7.26-9.4(b) - INADEQUATE WASTE ANALYSIS PLAN:

- . New operating procedures: P.G.-0020. Waste material analysis plan has been written. Note: Samples are at International Hydronics Corporation, P.O. Box 243, Rocky Hill, N.J. 08553, (609) 921-9216, Cert.#18086, for analysis.
- . Heubach Inc. spill control plan has been signed by M. Westman, P.E., dated 4/29/86, certificate number 18214.

9.4 (f)3 - INADEQUATE INSPECTION PROGRAM (ONLY COVERS MATERIAL BEHIND BLDG. #37) and:

9.4 (d)5 - INADEQUATE INSPECTION SCHEDULE (DAILY):

- . P.G.-0018 - Daily inspection and reporting of waste drums operating procedure has been revised to include all storage areas for hazardous wastes. Inspections are now made daily during the work week.

9.4(g) - INADEQUATE PERSONNEL TRAINING PROGRAM AND RECORD KEEPING:

- . P.G.-0019 - Operator training log - waste material handling procedures has been revised to include the following:
- . Copy of each log sheet to be forwarded to Sr. Eng. Environ. & Safety.

- . Annual training (review) and new waste handling operators must successfully complete training within 3 months from date of employment and not work unsupervised until program complete.
- . Procedure includes all types of hazardous waste.
- . Program -----> directed by Sr. Eng. Environmental & Safety.

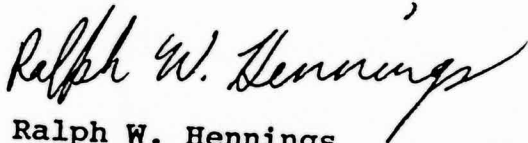
9.4(d) - UNMARKED WASTE CONTAINERS:

- . Appropriate operating procedures have been revised to include 9.4(d) i. - Closed securely, ii. - Vapor control system, iii. - Proper handling, iv. - Segregated in storage, v. - Identification of drums, vi. - All cleaning of drums to be done in #37 Bldg., vii. - #37 Bldg. floor drains go to process waste water and treatment. viii. - Following U.S. Dept. of Transportation regulations including 49CFR173.28.

9.8 - CLOSURE PLAN:

- . To be completed by 5/31/86 -- letter to T. Brady to confirm.

Sincerely,



Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH/mil



HEUBACH INC.
256 VANDERPOOL STREET
NEWARK, NEW JERSEY 07114
201-242-1800

January 23, 1984

ND002190627

New Jersey Department of Environmental Protection
Solid Waste Administration
32 E. Hanover Street
Trenton, New Jersey 08608

Attention: Mr. Frank Coolick

Dear Mr. Coolick:

As discussed in our recent telephone conversations the Newark, New Jersey Plant of E. I. Du Pont De Nemours & Co., Inc. located at 256 Vanderpool Street, is being sold to Heubach Inc. The new owner will continue to operate the plant under existing processes and will market the same product lines. The target date for the transfer of Title is January 26, 1984.

It is our understanding that the new owner is required, under NJAC 7:26 - 12.3 C4, to file a revised Part A permit application. Attached is that application. Unfortunately, we are unable to submit this application 90 days prior to the sale simply because the sale was not announced until late in December.

It there are any questions or I can be of any help in resolving this issue please call me at (201) 242-1800.

D. C. Gero

cc: Mr. Richard Baker
Chief - Permits Administration Branch
Environmental Protection Branch
4th Floor
26 Federal Plaza
New York, New York 10278

DG/db

RECEIVED
FEB 13 2 35 PM '84
ENVIRONMENTAL PROTECTION
AGENCY
NEW YORK, N.Y. 10007

Newark, New Jersey
January 23, 1984

Mr. Richard Baker
Chief - Permits Administration Branch
Environmental Protection Agency
4th Floor
26 Federal Plaza
N.Y., N.Y. 10278



Dear Mr. Baker:

It was recently announced that the E. I. Du Pont Pigments Plant (EPA ID No. NJD 002190627) in Newark, New Jersey, was being sold. The target date for transfer of title is 1-26-84.

The new owner will continue to operate the plant on existing processes and will produce the same product lines.

It is our understanding that the EPA ID Number is site specific; consequently we request that identity of the owner be changed from:

E. I. Du Pont De Nemours & Co., Inc.
256 Vanderpool Street
Newark, New Jersey 07114

TO: Heubach Inc.
256 Vanderpool Street
Newark, New Jersey 07114

If you have any questions please call me at (201) 242-1800 X227.

R F White
R. F. White
Engineer

RFW/db

*changed on case
4/24/84*

NJD 002 190 627

Let's protect our earth



ENVIRONMENTAL
PROTECTION AGENCY
REGION II

88 MAY 31 PM 1:48

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF HAZARDOUS WASTE MANAGEMENT

HAZARDOUS WASTE
FACILITIES BRANCH

Michele M. Putnam
Deputy Director

Hazardous Waste Operations

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625
(609)633-1408

Lance R. Miller
Deputy Director

Responsible Party Remedial Action

MAY 18 1988

Ralph W. Hennings
Senior Engineer
Environmental & Safety
Heubach Inc.
Heubach Avenue
Newark, NJ 07114

done 7/20/88

C1105-4 ✓

Dear Mr. Hennings:

RE: Closure/Delisting, Heubach Inc., Newark
EPA ID NO. NJD 002 190 627, CP-88-9

The Bureau of Hazardous Waste Engineering (the Bureau) is in receipt of Heubach's submittal dated February 2, 1988 regarding the closure plan for the facility's hazardous waste activities. The Bureau has reviewed the plan and has determined that additional information is needed.

Heubach's closure plan mentions four (4) areas on-site where hazardous waste containers are filled or stored. These areas are located outside Building #28, outside Building #21, inside Building #37, and outside Building #37. None of the aforementioned areas are listed on the facility's original Part A Application. During a site visit on March 16, 1988 by Mr. Michael Gerchman of the Bureau, Heubach representatives stated that these areas were only used to accumulate hazardous waste for less than 90 days. If it can be demonstrated that hazardous waste storage in these areas did not exceed 90 days, the areas shall not be required to undergo closure. Therefore, Heubach shall submit documentation and descriptions of past hazardous waste storage practices for each of these areas.

Additionally, the container storage area (warehouse) listed on the original Part A Application is not included in the closure plan. The above referenced site visit revealed that this area is no longer used to store hazardous waste. Currently, Heubach stores only virgin material in the warehouse. However, this fact does not exempt the facility from closing this area. Therefore, the closure plan must be revised to include closure of the hazardous waste container storage area listed on the original Part A Application.

The Bureau hereby requests that Heubach Inc. respond within thirty (30) days from the date of this letter. Failure to do so may result in enforcement action.

MAY 18 1987

If you have any questions, contact Michael Gerchman of my staff at
(609)292-9880.

Very truly yours,



Ernest J. Kuhlwein, Chief
Bureau of Hazardous Waste Engineering

EP62/tmg

cc: ~~Barry Tornick, USEPA~~
Jonathan Berg, ECRA

HEUBACH2
BATMCB

NJD 002-190627

Let's protect our earth



log

CC

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Tréla, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625
609 - 633 - 1408

DEC 02 1987

R.F. Mitchell
Vice President
Heubach Inc.
Heubach Avenue
Newark, NJ 07114

Dear Mr. Mitchell:

RE: Hazardous Waste Facility Permit Application, Heubach Inc., Newark, NJ
EPA ID No. NJD 002 190 627

The Bureau of Hazardous Waste Engineering (the Bureau) is in receipt of Heubach Inc.'s letter dated November 5, 1987 concerning the Newark facility's Part B Hazardous Waste Facility Permit Application. This letter states that Heubach Inc. (Heubach) is actively seeking additional lead smelters to take the facility's hazardous waste. This will allow Heubach to dispose of their hazardous waste within 90 days from the date the waste is generated, thereby ~~exempting the facility~~ from obtaining a hazardous waste storage permit.

In order to qualify for the above exemption Heubach must do the following:

1. Submit a closure plan for the facility's hazardous waste activities in accordance with N.J.A.C. 7:26-9.8. This plan must be approved by the New Jersey Department of Environmental Protection (NJDEP) and then, upon approval, implemented by the facility.

The closure plan shall include , at a minimum, a description of the procedures necessary to remove all hazardous waste and to decontaminated the storage area, a method to determine when decontamination is complete, a soil sampling and analysis plan for any exposed earthen surfaces near the storage areas, and a schedule for implementation of the approved plan.

Note that implementation of this closure plan does not prohibit the facility from storing hazardous waste in the future, but rather is a procedure which must be completed in order for the facility to be taken off the list of Hazardous Waste Treatment, Storage or Disposal Facilities (TSDF's). However, once taken off the TSDF list, a facility may only accumulate hazardous waste for less than 90 days after receiving approval from the NJDEP to do so.

DEC 02 1987

2. To receive approval from the NJDEP to accumulate hazardous waste in containers for less than 90 days, the facility must submit documentation of compliance with the requirements of N.J.A.C. 7:26-9.3(a) of New Jersey's Hazardous Waste Regulations.

Since at this time Heubach is uncertain of the facility's ability to accumulate hazardous waste on a less than 90 day basis, the Bureau must continue to assume that a permit for the facility is necessary. The review of Heubach's Alternative Information Statement shall proceed as usual, and the Bureau shall expect to receive a Part B Permit Application prior to February 20, 1988. If Heubach does decide to delist from TSDF status, submittal of the information required in No. 1 and No. 2 above shall be made as soon as possible and no later than the Part B due date. Failure of Heubach to submit the Part B application or closure plan by February 20, 1988 shall result in enforcement action.

If you have any questions on this matter, please call Michael Gerchman of my staff at (609) 292-9880.

Very truly yours,

Ernest J. Kuhlwein, Jr.

Ernest J. Kuhlwein, Jr., Chief
Bureau of Hazardous Waste Engineering

EP62/bt

cc: Barry Tornick, USEPA, Region II ✓

INC. CRUE
INVOICEDU PONT DE NEMOURS & CO. (INC.)
CHEMICALS, DYES AND PIGMENTS DEPT.
2981 INDEPENDENCE ROAD
CLEVELAND, OHIO 44115

DU PONT VOUCHER NO. _____

OT NO. 997
 U PONT ORDER NO. GA. 91318-R
 ONSIGNED TO CLEVELAND, OHIO
 HIPPED VIA D.F. Best
 AR NO. AND INITIAL _____
 ORIGINATING POINT Newark, N.J.
 HIPPING WEIGHT 41660 LBS.
 REPAID xxxxxx
 TERMS - SPOT CASH F.O.B. - DELIVERED

SELLER'S INVOICE NO. _____ DATE 3/3/31
 BOUGHT OF New Jersey Gelvatizing & Finning
 STREET AND NO. 139 Haynes Avenue
 CITY AND STATE Newark, N.J. 07114

DESCRIPTION	QUANTITY	PRICE PER UNIT	TOTAL	
			DOLLARS	CENT
SAL AMMONIAC SKIMMINGS				
# Less _____ drums _____ #				
Less _____ % H ₂ O				
ZINC ASHES				
<u>41660</u> # Less <u>42</u> drums <u>1680</u> #				
Less <u>12.34</u> % H ₂ O				
<u>79.75</u> % Zinc	<u>25847</u> #	<u>.1238</u>	<u>3199</u>	<u>86</u>
ADMIXTURE				
# Less _____ drums _____ #				
Less _____ % H ₂ O				
_____ % Zinc				
<u>Less Drum Penalty 42x5</u>				
Less Freight Paid			<u>210</u>	<u>00</u>

FOR DIRECTOR OF PURCHASES
PRICES AND TERMS CORRECT

FOR AUDITING DEPARTMENT

DISTRIBUTION

7001

27672 ()

27675 (25847) Quantity

EXTENSIONS
CORRECTPUR. ORDER
CHECKED

ENTERED

MATERIAL RECEIVED

AND IS ☒ SATISFACTORY

CHECKED BY _____

APPROVED BY _____

AUDITED

AMOUNT
OF
INVOICE\$ 2989

Do Not Write Below This Line

CASH
DISCOUNT _____

FREIGHT _____

NET _____

CHECK NO. _____

ENVIRONMENTAL PROTECTION
AGENCY RG II

90 JUN 25 PM 3:58

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENTCN 028
Trenton, N.J. 08625-0028
(609) 633-1408
Fax # (609) 633-1454

7/24/90 ✓

JUN 18 1990

✓ CMT 10:

✓ C1103=\$

✓ C305=\$

✓ C1105=6

✓ C1804=L for S01=27500G

Ralph Hennings
Senior Engineer
Environment & Safety
Cookson Pigments, Inc.
256 Vanderpool Street
Newark, NJ 07114

reclassification

RE: Termination of Hazardous Waste Facility Status, Cookson Pigments, Inc. (formerly Heubach, Inc.), Newark, Essex County, EPA ID NO. NJD 002 190 627, New Jersey Facility No. 0714G2

Dear Mr. Hennings:

The Bureau of Hazardous Waste Engineering (hereinafter "the Bureau") is in receipt of the closure certification report submitted on February 22, 1990, regarding the hazardous waste container storage area located at the above referenced facility. Closure of this area was performed in 1984 without the approval of the Division of Hazardous Waste Management.

Heubach, Inc. has been listed as a hazardous waste storage facility subject to permitting requirements because the facility had filed a Part A Hazardous Waste Facility Permit Application with the United States Environmental Protection Agency (USEPA) for storage of hazardous waste in containers (S01). Upon a review of the file and an inspection of the facility, the Bureau has reached the following conclusion regarding present hazardous waste activities at the facility:

1. Accumulation of containerized hazardous waste takes place for ninety (90) days or less in accordance with N.J.A.C. 7:26-9.3(a); and
2. The facility operates a wastewater treatment unit which is exempt from hazardous waste facility permitting in accordance with N.J.A.C. 7:26-12.1(b)3 as an industrial waste management facility.

If the aforementioned conclusions are incorrect or incomplete, please contact the Bureau immediately. Assuming the aforementioned conclusions are correct, the facility identified by the following USEPA identification number

NJD 002 190 627





HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

February 3, 1987

N.J. Department of Environmental Protection
Division of Environmental Quality
401 East State Street
CN 027
Trenton, NJ 08625
ATTN: Mr. A. McMahon

Dear Mr. McMahon:

Heubach, Inc. again requests an extension concerning permits and certificates required referenced in letter dated May 12th, 1986, by Mr. Allan T. Edwards and Log #A860475 MRO, and my letter to you dated August 8, 1986.

I contacted Mr. Bob Coleman on February 2, 1987; he informed me that 3 of the 5 and possibly 4 of 5 applications have been approved, the 5th application requires that we extend a 25 foot stack to 40 feet. A contractor has been contacted and we will proceed to extend the stack to 40 feet as required, hopefully this will be done soon and I will send Mr. Coleman a letter with revision to application (#70764) VEM-003, Section C, Item 6.

If you have any questions, please contact me at (201) 596-6242.

Sincerely,

HEUBACH, INC.

Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH:mr

cc: B. Coleman

JUN 18 1990

is excluded from applicable hazardous waste treatment, storage, or disposal regulations under N.J.A.C. 7:26-1 et seq. provided that all hazardous waste generated on-site is accumulated in containers in accordance with the following:

1. All such waste is, within 90 days or less, shipped off-site to an authorized facility or placed in an on-site authorized facility, as defined at N.J.A.C. 7:26-1.4.
2. The waste is placed in containers which meet the standards of N.J.A.C. 7:26-7.2 and are managed in accordance with N.J.A.C. 7:26-9.4(d).
3. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container. While being accumulated on-site, each container shall be clearly labeled or marked with the words "Hazardous Waste" and labeled in accordance with 49 CFR 172.304.
4. The generator complies with the requirements for owners and operators of N.J.A.C. 7:26-9.6 and 9.7 concerning preparedness and prevention, contingency plans and emergency procedures as well as N.J.A.C. 7:26-9.4(g) concerning personnel training.

Your company's hazardous waste facility above is no longer included in the Department of Environmental Protection's (the Department) list of "existing facilities" (see N.J.A.C. 7:26-1.4 and 12.3) and therefore does not need to conform with the interim operating requirements of N.J.A.C. 7:26-1 et seq. for "existing facilities". It is the company's responsibility to operate within conditions listed above. To operate a hazardous waste facility without prior approval from the Department is a violation of the Solid Waste Management Act N.J.S.A. 13:1E-1 et seq.

This written acknowledgement of the exclusion of the subject company from the hazardous waste facility requirements under N.J.A.C. 7:26-1 et seq. is based expressly on the review of the aforementioned correspondence. This letter makes no claim as to the extent and physical condition of the actual hazardous waste activities occurring at the site mentioned above.

The issuance of this delisting letter by the Department does not indicate, or imply, and should not be construed as a waiver of any requirements pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. and regulations promulgated thereunder concerning the New Jersey Pollutant Discharge Elimination System, N.J.A.C. 7:14-1 et seq. If your facility is in any of the regulated categories identified in the above cited regulations, you are hereby directed to apply for any and all permits necessary within ninety (or 180 days - at the option of DWR) to the Bureau of Ground Water Discharge Permits, CN 029, Trenton, New Jersey, 08625. Applications may be obtained by calling (609) 292-0424.

JUN 18 1990

If you have any questions regarding this matter, contact Michael Gerchman of my staff at (609) 292-9880.

Very truly yours,



Thomas Sherman, Jr., Chief
Bureau of Hazardous Waste Engineering

EP62/slw

c: Barry Tornick, USEPA
Yacoub Yacoub, BME
Gordon Beaver

DOCUMENT: COOKSON2
FOLDER: DBMMCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

APR 05 1990

Mr. Ralph Hennings
Senior Engineer
Cookson Pigments
256 Vanderpool Street
Newark, New Jersey 07114

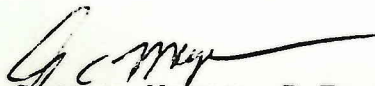
Re: Cookson Pigments
EPA I.D. No. NJD002190627

Dear Mr. Hennings:

Your submittal in response to the warning letter dated February 14, 1990 has been deemed satisfactory. Your facility has been entered in our Data Management System as having achieved physical compliance with the violation cited in the above referenced letter. This matter can now be considered concluded and the enforcement action resolved.

Please be advised your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste. Subsequently, if your facility should be found in violation of the regulation in the future, you may be subject to escalated enforcement action, including monetary penalties. If you have any questions contact Mr. James Sullivan at (212) 264-6150.

Sincerely yours,


George Meyer, P.E., Chief
Hazardous Waste Compliance Branch

cc: Wayne Howitz, Assistant Director
Hazardous Waste Enforcement Element
New Jersey Department of Environmental Protection
401 East State Street
Trenton, New Jersey 08625-0028

bcc: L. Livingston, PAB
G. Meyer, AWM-HWC
J. Sullivan, AWM-HWC

SEARCHED
SERIAL-7 PM 2:53
APR 10 1990
FBI NEW YORK



Corporate Offices • 256 Vanderpool Street • Newark, New Jersey 07114 • TEL (201) 242-1800 • FAX (201) 242-7274

February 21, 1990

United States Environmental
Protection Agency
Region 11
26 Federal Plaza
New York, N.Y. 10278

Attn: George C. Meyer, P.E., Chief

Dear Mr. Meyer:

All required LDR's have been attached to the associated manifest copies; the person in charge of shipping had copies in his office. Now, all copies are attached with manifest when handed over to the Environmental Dept.; checked and we are up to date.

Sincerely,

COOKSON PIGMENTS, INC.

A handwritten signature in blue ink that reads 'Ralph Hennings'.

Ralph Hennings
Sr. Eng. Environ. & Safety

RWH/mil

A handwritten signature in red ink, possibly 'J. J. J.', with a large red circle around it. Below the signature, the word 'Jullian' is written in cursive.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

FEB 14 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ralph W. Hennings
Senior Engineer
Cookson Pigments
256 Vanderpool Street
Newark, New Jersey 07114

Re: Cookson Pigments
EPA I.D. No. NJD002190627

Dear Mr. Hennings:

This Warning Letter is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 ("RCRA") and the Hazardous and Solid Waste Amendments of 1984 ("HSWA") 42 U.S.C. §§ 6901, 6928.

Pursuant to HSWA, EPA promulgated regulations on November 7, 1986, which prohibited the land disposal of restricted waste. 51 Fed. Reg. 40,572 (November 7, 1986). These regulations are published in 40 C.F.R. Part 268, and amend various sections of 40 C.F.R. Parts 260-265 and 270. They became effective on November 8, 1986.

The State of New Jersey is authorized by EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926. However, the authorized State program does not include provisions of HSWA, and regulations promulgated thereunder. EPA has the sole authority to implement and enforce regulations promulgated pursuant to HSWA, including the land disposal restrictions ("LDR").

On or about December 12, 1989, a duly authorized representative of EPA conducted an inspection of Cookson Pigments, Newark, New Jersey, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927. During this inspection, the inspector noted that:

1. 40 C.F.R. § 268.7(a)(6) which is one of the provisions of the LDR, has been violated. Section 268.7(a)(6) requires the following:

A generator must retain on-site a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to this section for at least five years from the date that the waste that is the subject of such documentation was sent to on-site or off-site treatment, storage or disposal. The five year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator.

At the time of the above referenced inspection, several manifest copies were found to be without the required LDR notifications. Be advised that EPA requires adherence to its regulations. If you have not already done so, you must take immediate remedial action to implement the regulations published in 40 C.F.R. Part 268. You must submit, within thirty (30) days of the receipt of this letter, documentation, and a description of the actions you have taken to correct the violations noted above and to implement the regulations published in 40 C.F.R. Part 268.

Failure to comply with the requirements of this Warning Letter may subject you to penalties of up to twenty-five thousand dollars (\$25,000) for each day of noncompliance in accordance with Section 3008 of RCRA, 42 U.S.C. § 6928.

If you have any questions regarding this matter, please contact Mr. James Sullivan, at (212) 264-6150.

Sincerely yours,


George C. Meyer, P.E., Chief
Hazardous Waste Compliance Branch

cc: Wayne Howitz, Assistant Director
Hazardous Waste Enforcement Element
New Jersey Department of Environmental Protection
401 East State Street
Trenton, New Jersey 08625-0028

bcc: L. Livingston, PAB
G. Meyer, AWM-HWC
J. Sullivan, AWM-HWC

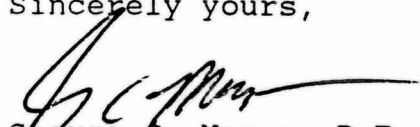
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If you have any questions regarding this matter, please contact Mr. James Sullivan, at (212) 264-6150.

Sincerely yours,


George C. Meyer, P.E., Chief
Hazardous Waste Compliance Branch

cc: Wayne Howitz, Assistant Director
Hazardous Waste Enforcement Element
New Jersey Department of Environmental Protection
401 East State Street
Trenton, New Jersey 08625-0028

U.S. ENVIRONMENTAL PROTECTION
AGENCY, REGION II
NEW YORK, N.Y.

1989 MAR 29 PM 2:02

PERMITS ADMINISTRATION
BRANCH

MAR 29 1989

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED

Mr. Robert F. Mitchell
Vice President of Operations
Heubach, Inc.
256 Vanderpool Street
Newark, New Jersey 07714

file NJD 002 190627

Re: Heubach, Inc.
Docket No. II RCRA-88-0117

Dear Mr. Mitchell:

Enclosed is a copy of the Consent Agreement and Consent Order in the above-referenced proceeding, signed by the Regional Administrator of the U.S. Environmental Protection Agency.

Upon your receipt of this Order, the thirty-day period for payment of the civil penalty commences. Please arrange for payment of this penalty according to the instructions given in the Agreement.

Sincerely,



Christine J. McCulloch
Assistant Regional Counsel
Waste and Toxic Substances Branch
Office of Regional Counsel

Enclosure

cc: Gerard Burke (NJDEP)

bcc: Rob Small (WH-527)
✓ Laura Livingston (2PM-PA)
Karen Maples (2RHC)
Joel Columbo (2AWN-HWC)
James Sullivan (2AWN-HWC)
Ronald Cherardi (2PM-PIN)

FINDINGS OF FACT

1. Dupont, Inc. ("Dupont"), prior to January 24, 1984, owned and operated the facility located at 256 Vanderpool Street, Newark, New Jersey 07114 ("Vanderpool Facility").

2. On January 24, 1984, Heubach, Inc. ("Respondent") purchased from Dupont the facility located 256 Vanderpool Street, Newark, New Jersey 07114.

3. Respondent currently owns and operates the facility located at 256 Vanderpool Street, Newark, New Jersey 07114.

4. By notification dated August 18, 1980, Dupont (Respondent's predecessor) informed EPA that it conducts activities at the Vanderpool facility involving "hazardous waste", as that term is defined by Section 1004(5) of RCRA (42 U.S.C.A. § 6903(5) (West 1983 & Supp. 1987)), 40 C.F.R. § 260.10 (1987), and N.J. Admin. Code tit. 7 § 26-1.4 (1987). By application dated November 19, 1980, Dupont (Respondent's predecessor) requested a permit to operate the hazardous waste facility at 256 Vanderpool Street Newark, New Jersey 07114.

5. Respondent, by application dated February 2, 1988, requested that the application for a permit dated November 19, 1980 be withdrawn.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

-----X
In the Matter of :
HEUBACH, INC., :
Respondent. :
Proceeding Under Section 3008 :
of the Resource Conservation :
and Recovery Act, as amended. :
-----X

CONSENT AGREEMENT
AND
CONSENT ORDER

Docket No. II RCRA-88-0117

PRELIMINARY STATEMENT

The administrative proceeding was instituted pursuant to Section 3008 of the Solid Waste Disposal Act ("Act"), as amended by the Resource Conservation and Recovery Act of 1976 ("RCRA") and the Hazardous and Solid Waste Amendments of 1984 ("HSWA" or "Amendments"). 42 U.S.C.A. §§ 6901-6991i (West 1983 & Supp. 1987).

Section 3006(b) of RCRA provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a state to operate the hazardous waste program in lieu of the EPA. 42 U.S.C.A. § 6926(b) (West 1983 & Supp. 1987). The State of New Jersey received its final authorization to administer its RCRA hazardous waste program on February 21, 1985. Even though the state is authorized to implement the hazardous waste program, Section 3008

of RCRA permits EPA to enforce the provisions of the state authorized program. 42 U.S.C.A. § 6928 (West 1983 & Supp. 1988).

Section 3006(g) of RCRA provides that the Administrator of the EPA has the authority to carry out any requirement or prohibition imposed by HSWA, and the regulations promulgated thereunder, in each state, unless the state program is finally authorized (or is granted interim authorization) for such requirements. HSWA includes the Land Disposal Restriction Rule ("LDR Rule" or "Land Ban" Rule) under the amended Section 3004 of RCRA. 42 U.S.C.A. § 6924 (West 1983 & Supp. 1987). New Jersey has not received final or interim authorization for the HSWA requirements. Therefore, until the State of New Jersey amends its hazardous waste program to incorporate the requirements under HSWA and receives authorization to enforce such requirements, EPA retains sole authority for implementation and enforcement of the HSWA requirements, which includes the Land Ban regulations.

The Complainant in this proceeding, the Director of the Air and Waste Management Division, Region II, United States Environmental Protection Agency issued a Complaint, Compliance Order and Notice of Opportunity for Hearing to Heubach, Inc. ("Respondent") on September 26, 1988. The Complaint charged Respondent with violating HSWA, the regulations promulgated pursuant to HSWA, the New Jersey Solid Waste Management Act ("SWMA") and the regulations promulgated pursuant to SWMA.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEB 14 1990

Mr. Ralph W. Hennings
Senior Engineer
Cookson Pigments
256 Vanderpool Street
Newark, New Jersey 07114

Re: Cookson Pigments
EPA I.D. No. NJD002190627

Dear Mr. Hennings:

This Warning Letter is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 ("RCRA") and the Hazardous and Solid Waste Amendments of 1984 ("HSWA") 42 U.S.C. §§ 6901, 6928.

Pursuant to HSWA, EPA promulgated regulations on November 7, 1986, which prohibited the land disposal of restricted waste. 51 Fed. Reg. 40,572 (November 7, 1986). These regulations are published in 40 C.F.R. Part 268, and amend various sections of 40 C.F.R. Parts 260-265 and 270. They became effective on November 8, 1986.

The State of New Jersey is authorized by EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926. However, the authorized State program does not include provisions of HSWA, and regulations promulgated thereunder. EPA has the sole authority to implement and enforce regulations promulgated pursuant to HSWA, including the land disposal restrictions ("LDR").

On or about December 12, 1989, a duly authorized representative of EPA conducted an inspection of Cookson Pigments, Newark, New Jersey, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927. During this inspection, the inspector noted that:

1. 40 C.F.R. § 268.7(a)(6) which is one of the provisions of the LDR, has been violated. Section 268.7(a)(6) requires the following:

CONCLUSIONS OF LAW

1. Respondent is a "person" as that term is defined in Section 1004(15) of RCRA (42 U.S.C.A. § 6093(15) (West 1983 & Supp. 1987)), 40 C.F.R. § 260.10 (1987), and N.J. Admin. Code tit. 7, § 26-1.4 (1987).

2. Respondent operates a "facility", as that term is defined in 40 C.F.R. § 260.10 (1987), at 256 Vanderpool Street, Newark, New Jersey 07114 which treats, stores and disposes of hazardous waste. (See also "hazardous waste facility" as that term is defined in N.J. Admin. Code tit. 7 § 26-1.4 (1987).)

3. Respondent is a "generator", as that term is defined in 40 C.F.R. § 260.10 (1987) and N.J. Admin. Code tit. 7, § 26-1.4 (1987), of hazardous waste at its facility.

4. Respondent, as a person who owns or operates a hazardous waste facility and/or who generates hazardous waste, is subject to the standards and requirements set forth in 40 C.F.R. §§ 262.10-262.58, 265.1-265.430, 268.1-268.50 (1987) and N.J. Admin. Code tit. 7, §§ 26-7.4, 26-7.6, 26-9, 26-11 (1987).

5. Respondent is subject to the regulation set forth at 40 C.F.R. § 268.7(a)(1) (1987), which requires a generator to determine if its waste, which is being shipped off-site, is restricted from land disposal under 40 C.F.R. §§ 268.1-268.50 (1987) and, if it is, then to notify in writing, pursuant to the

6. Respondent is currently classified, pursuant to RCRA, as having interim status (candidate for Part A withdrawal) which permits it to operate in New Jersey a facility to treat, store and dispose of hazardous waste.

7. Respondent generates hazardous waste at its facility.

8. On September 29 & 30, 1987, a duly designated representative of the New Jersey Department of Environmental Protection ("NJDEP"), authorized by the EPA, conducted an inspection of the aforementioned facility (paragraph 3). The inspection was conducted for the purposes of determining compliance with the federal and state hazardous waste programs.

9. On September 29 & 30, 1987, the NJDEP inspector reported that Respondent had shipped restricted waste, which it had misclassified, to an off-site treatment facility without providing it with a written statement which includes the: (a) EPA Hazardous Waste Number; (b) corresponding treatment standard for the waste; (c) manifest number associated with the waste shipment; and (d) waste analysis data, where available.

10. On September 29 & 30, 1987, the NJDEP inspector reported that Respondent had improperly identified on the New Jersey manifest, NJA0243281, the hazardous waste number for that hazardous waste shipment.

(1987), and is a violation of the New Jersey Solid Waste Management Act (N.J. State Ann. tit. 13, §§ 13:1E-1.76 (West 1979 & Supp. 1987)).

CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of RCRA (42 U.S.C.A. § 6928 (West 1983 & Supp. 1987)), and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" (40 C.F.R. § 22.18 (1987)), it is hereby agreed as follows:

1. Respondent shall comply with:

- (a) the applicable requirements of Sections 3002 and 3004 of RCRA as amended by HSWA (42 U.S.A.C. §§ 6922(a)(1), (4), 6924(a)(1), (c), (d), (e), (g), (h), (j), (m) (West 1983 & Supp. 1987));
- (b) 40 C.F.R. §§ 265.13, 265.73;
- (c) 40 C.F.R. §§ 268.1-268.50; and
- (d) N.J. Admin. Code tit. 7, § 26-7.4.

2. Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited herein in the amount of six thousand, four hundred dollars (\$6,400.00) payable to the Treasurer, United States of America, and mailed to U.S. Environmental Protection Agency, Regional Hearing Clerk - Region II, P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The payment shall be identified as Heubach, Inc., Docket No. II RCRA-88-0117.

requirements of the regulations, the treatment facility of the appropriate treatment standards set forth in 40 C.F.R.

§§ 268.40-286.44 (1987).

6. A failure to notify a treatment facility in writing is a violation of the regulation set forth at 40 C.F.R.

§§ 268.7(a)(1) (1987).

7. A failure to meet the requirements of the regulation set forth at 40 C.F.R. § 268.7(a)(1) (1987) constitutes a failure or refusal to comply with 40 C.F.R. § 268.7(a)(1) (1987), and is a violation of Section 3002 and Section 3008 of RCRA (42 U.S.C.A. §§ 6922, 6928 (West 1983 & Supp. 1987)).

8. Respondent is subject to the regulation set forth at N.J. Admin. Code tit. 7, § 26-7.4 which requires that the generator who ships hazardous waste off-site to prepare a manifest form (N.J. Admin. Code tit. 7, § 26-7.4(a)(3) (1987)) and that the manifest form contain specific information (N.J. Admin. Code tit. 7, § 26-7.4(a)(4)vii (1987)).

9. A failure to properly identify the hazardous waste is a violation of the regulation set forth at N.J. Admin. Code tit. 7, § 26-7.4(a)(4)vii (1987).

10. A failure to meet the requirement of N.J. Admin. Code tit. 7, § 26-7.4(a)(4)(vii) (1987), constitutes a failure or refusal to comply with N.J. Admin. Code tit. 7, § 26-7.4(a)(4)vii

Payment is due within thirty (30) days after the Regional Administrator signs this Consent Agreement and Consent Order.

a. Failure to pay the penalty in full according to the above provisions will result in referral of this matter to the United States Attorney for collection.

b. Further, if payment is not received on or before the due date, interest will be assessed at the annual rate established by the Secretary of Treasury pursuant to 31 U.S.C. § 3717 (1982), on the overdue amount from the effective date of this Consent Agreement and Consent Order through the date of payment. In addition, a late payment handling charge of twenty dollars (\$20.00) will be assessed if payment is not received by the due date, with an additional charge of ten dollars (\$10.00) for each subsequent thirty (30) day period. A six percent (6%) per annum penalty also will be applied on any principal amount not paid within ninety (90) days of the due date.

3. Pursuant to 40 C.F.R. § 22.18 (1987), for the purposes of this proceeding, Respondent: (1) admits the jurisdictional allegations of the Complaint; (2) neither admits nor denies the specific factual allegations contained in the Complaint (as referenced by the Complaint, Compliance Order and Notice of Opportunity for Hearing at 2-3, paras. 8-9, 11-12, In The Matter of Heubach, Inc., Docket No. II RCFA-88-0117 (issued September 26, 1988) and restated in this Consent Agreement and Consent Order at 4, paras. 9-10, In the Matter of Heubach, Inc.,

Docket No. II RCRA-88-0117 (1989)); and (3) consents to the assessment of a civil penalty in paragraph 2 of the Consent Agreement.

4. Respondent waives its right to request a Hearing on this matter, has read the foregoing Consent Agreement, believes that it is reasonable and consents to its issuance and its terms.

5. Each undersigned signatory of this Consent Agreement certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement.

6. The executed Consent Agreement and Consent Order, upon issuance by the Regional Administrator, constitutes full settlement of all liabilities that might have attached as a result of the allegations of the Complaint.

RESPONDENT:

BY: Robert F. Mitchell
HEUBACH, INC

NAME: Robert F. Mitchell
(Please Print)

TITLE: Vice President - Operations

DATE: March 15, 1989

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

1988 SEP 26 PM 2:33

-----X
In The Matter Of :
Heubach, Inc. :
256 Vanderpool Street :
Newark, New Jersey 07114 :
NJD002190627 :
-----X

COMPLAINT, COMPLIANCE ORDER
AND NOTICE OF OPPORTUNITY
FOR HEARING

Proceeding Under Section 3008 :
of the Resource Conservation :
and Recovery Act. :
-----X

Docket No. II RCRA 88-0117

COMPLAINT

This civil administrative proceeding is instituted pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA") (42 U.S.C.A. § 6928 (West 1983 & supp. 1987)). Section 3006(b) of RCRA (42 U.S.C.A. § 6926(b) (West 1983 & supp. 1987)), provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The State of New Jersey received final authorization to administer its hazardous waste program on February 21, 1985. Section 3008 of RCRA (42 U.S.C.A. § 6928 (West 1983 & supp. 1987)), authorizes EPA to enforce the provisions of the authorized State program.

Until the State of New Jersey amends its hazardous waste program to incorporate the requirements under the Hazardous and Solid Waste Amendments ("HSWA") (42 U.S.C.A. § 6901-6991i (West 1983 & supp. 1987)), and receives authorization to enforce such requirements, EPA retains primary responsibility for implementation of said requirements. HSWA amended the Act to include the Land Disposal Restriction Rule ("LDR Rule" or "Land Ban Rule") under Section 3004 of the Act (42 U.S.C.A. § 6924 (West 1983 & supp. 1987)). The State of New Jersey has not amended its hazardous waste program to incorporate the LDR Rule; therefore, EPA has primary and, at the present time, sole implementation authority for the LDR Rule.

The Director of the Air & Waste Management Division of the U.S. Environmental Protection Agency, Region II, Complainant in this proceeding, has determined that Respondent, Heubach, Inc., has violated Sections 3002 and 3004 of the Act (42 U.S.C.A. § 6922, 6924 (West 1983 & supp. 1987)), and the requirements promulgated pursuant to the Act as hereinafter specified:

1. Respondent owns and operates a facility located at 256 Vanderpool Street, Newark, New Jersey 07114. Respondent is a "person" as that term is defined in Section 1004(15) of RCRA (42 U.S.C.A. § 6903(15) (West 1983 & supp. 1987)), and in 40 C.F.R. § 260.10 (1987).

COMPLAINANT:

BY: Shelley Erlich Holm
for CONRAD SIMON
Director
Air and Waste Management Division
U.S. Environmental Protection
Agency - Region II

DATE: March 23, 1989

CONSENT ORDER

The Regional Administrator of the U.S. Environmental Protection Agency, Region II, concurs in the foregoing Consent Agreement. The Agreement entered into by the parties is hereby approved and issued, as an Order, effective immediately.

James R. Marshall
for WILLIAM J. MUSZYNSKI, P.E.
Acting Regional Administrator
U.S. Environmental Protection
Agency - Region II
26 Federal Plaza
New York, New York 10278

DATE: 3/27/89

2. On August 18, 1980, Respondent informed EPA that it conducts activities at its facility involving "hazardous waste" as that term is defined in Section 1004(5) of RCRA (42 U.S.C.A. § 6903(5) (West 1983 & supp.1987)), and in 40 C.F.R. § 260.10 (1987). By application dated November 19, 1980, Respondent requested a permit to conduct hazardous waste activity.

3. Respondent is currently classified, pursuant to RCRA, as having interim status (42 U.S.C.A. § 6925(e) (West 1983 & supp.1987)), which permits it to operate in New Jersey a "facility" handling hazardous waste as that term is defined by 40 C.F.R. § 260.10 (1987). (See also "hazardous waste facility" as that term is defined in N.J. Admin. Code tit. 7, § 26-1.4 (1987)).

4. Respondent is a "generator" of hazardous waste at its facility, as that term is defined in 40 C.F.R. § 260.10 (1987) and N.J. Admin. Code tit. 7, § 26-1.4 (1987).

5. 40 C.F.R. §§ 262.10-262.58, 265.1-265.480, 268.1-268.50 (1987) sets forth the federal standards for generators of hazardous waste and interim status facilities which treat, store and/or dispose of hazardous waste. N.J. Admin. Code tit. 7, § 26 establishes the New Jersey requirements for generators of hazardous waste and interim status facilities which treat, store and/or dispose of hazardous waste.

6. On or about September 29 & 30, 1987, an inspection of the aforementioned facility (paragraph 1) was conducted by a duly-designated representative of EPA pursuant to Section 3007 of the Act (42 U.S.C. § 6927 (West 1983 & supp. 1987)). The inspection was conducted to determine compliance with specific federal and state regulations for the management of hazardous waste.

COUNT 1

7. 40 C.F.R. § 268.7(a) (1987) requires a generator to test his waste or and extract developed using the test method described in Appendix I of 40 C.F.R. Part 268 (1987), or to use knowledge of the waste, to determine if the waste is restricted from land disposal under 40 C.F.R. §§ 268.1-268.50 (1987). 40 C.F.R. § 268.7(a)(1) (1987) requires the generator to notify a treatment facility in writing of the appropriate treatment standards set forth in 40 C.F.R. §§ 268.40-268.44 (1987). The notice must include the following information:

- (i) EPA Hazardous Waste Number;
- (ii) The corresponding treatment standard;
- (iii) The manifest number associated with the shipment of the waste; and
- (iv) Waste analysis data, where available.

8. On or about September 29 & 30, 1987, an inspection of the aforementioned facility (paragraph 1) revealed that Respondent had shipped restricted waste which it had misclassified, to an off-site treatment facility without providing it with a statement which includes the: (a) EPA Hazardous Waste Number; (b) corresponding treatment standard for the waste; (c) manifest number associated with the waste shipment; and (d) waste analysis data, where available.

9. Respondent's failure to notify the treatment facility in writing, as alleged in paragraph 8, which is required by 40 C.F.R. § 268.7(a)(1) (1987), constitutes a failure or refusal to comply with 40 C.F.R. § 268.7(a)(1) (1987), and is a violation of Section 3002 and 3008 of RCRA (42 U.S.C.A. §§ 6922, 6928 (West 1983 & supp. 1987)).

COUNT 2

10. N.J. Admin. Code tit. 7, § 26-7.4 requires that the generator, who ships hazardous waste off-site, prepare a manifest form (N.J. Admin. Code tit. 7, § 26-7.4(a)(3) (1987)) and that the manifest form contain specific information (N.J. Admin. Code tit. 7, § 26-7.4(a)(4) (1987)).

11. On or about September 29 & 30, 1987, an inspection of the aforementioned facility (paragraph 1) revealed that Respondent improperly identified on a manifest, NJA0243281, the hazardous waste number for that hazardous waste shipment.

12. Respondent's failure to properly identify the hazardous waste, as alleged in paragraph 11, which is required by N.J. Admin. Code tit. 7, § 26-7.4(a)(4)(vii) (1987), constitutes a failure or refusal to comply with N.J. Admin. Code tit. 7, § 26-7.4(a)(4)(vii) (1987), and is a violation of the New Jersey Solid Waste Management Act (N.J. State Ann. tit. 13, §§ 13:1E-176 (West 1979 & supp. 1987)).

PROPOSED CIVIL PENALTY

In view of the violations referenced above, and pursuant to the authority of Section 3008 of RCRA (42 U.S.C.A. § 6928 (West 1983 & supp. 1987)). Complainant herewith proposes the assignment of a civil penalty in the amount of eight thousand, nine hundred ninety dollars (\$8,990) against HEUBACH, INC., as follows:

COUNT 1

For violation of 40 C.F.R. §268.7(a)(1)..... \$2,990

COUNT 2

For violation of N.J. Admin. Code tit. 7, § 26-7.4..... $\frac{\$6,000}{\$8,990}$

COMPLIANCE ORDER

Based upon the foregoing, and pursuant to the authority of Section 3008 of RCRA (42 U.S.C.A. § 6928 (West 1983 & supp. 1987)), Complainant herewith issues the following Compliance Order against Respondent herein:

1. Respondent shall, upon the effective date of this Compliance Order, comply with:

a) 40 C.F.R. §§ 268.1-268.50 (1987), amended by 53 Fed. Reg. 31,212-21 (1988), when it generates and ships restricted waste as identified in 40 C.F.R. §§ 268.1-268.50 (1987), amended by 53 Fed. Reg. 31,212-21 (1988), to off-site treatment facilities; and specifically

b) 40 C.F.R. § 268.7(a)(1) (1987), amended by 53 Fed. Reg. 31,212-21 (1988) which requires that the generator, when shipping restricted waste off-site, must notify the treatment or storage facility in writing of the appropriate treatment standard set forth at 40 C.F.R. §§ 268.40-268.44 (1987) amended by 53 Fed. Reg. 31,212, 31,217-21 (1988) and any applicable prohibition levels set forth at 40 C.F.R. § 268.32 (1987) amended by 53 Fed. Reg. 31,212, 31,216-17 (1988) or Section 3004(d) of RCRA (West 1983 & supp. 1987), and

- EPA Hazardous Waste Number
- The corresponding treatment standard
- The manifest number associated with the shipment of waste
- Waste analysis data, where available

2. Respondent shall, upon the effective date of this Compliance Order, comply with N.J. Admin. Code tit. 7, § 26-7.4 and correctly identify by the hazardous waste number the hazardous waste on the manifest.

NOTICE OF LIABILITY FOR ADDITIONAL CIVIL PENALTIES

Pursuant to the terms of Section 3008(a) of RCRA (42 U.S.C.A. § 6928(a) (West 1983 & supp. 1987)), corrective action within the time specified in a Final Compliance Order is liable for a civil penalty of up to \$25,000 for each day of continued noncompliance.

NOTICE OF OPPORTUNITY TO REQUEST A HEARING

As provided in Section 3008(b) of RCRA (42 U.S.C.A. § 6928(a) (West 1983 & supp. 1987)), and in accordance with EPA's "Consolidated Rules of Practices Governing the Administrative Assessment of Civil Penalties and the Revocation of Suspension of Permits", 40 C.F.R. Part 22, 45 Fed. Reg. 24363 (April 9, 1980) (a copy of which accompanies this Complaint, Compliance Order and Notice of Opportunity for Hearing), you have the right to request a Hearing to contest any material fact set out in the Complaint, or to contest the appropriateness of the proposed penalty, or the terms of the Compliance Order. (Consistent with the provisions of Section 3008(b) or RCRA (42 U.S.C.A. § 6968(b) (West 1983 & supp. 1987)), should you request such a Public Hearing, notice of the Hearing will be open to the general public. However in the absence of such a specific request, public notice of a scheduled Hearing will not be published.)

To avoid being found in default, and having the proposed civil penalty assessed and the Compliance Order confirmed without further proceedings, you must file a written Answer to the Complaint, which may include a request for a Hearing.

Your Answer, if any, must be addressed to the U.S. Environmental Protection Agency, Regional Hearing Clerk, 26 Federal Plaza, New York, New York 10278, and must be filed within thirty (30) days of your receipt of this Complaint, Compliance Order, and Notice of Opportunity for Hearing.

Your Answer must clearly and directly admit, deny or explain each of the factual allegations contained in the Complaint, and should contain: (1) a clear statement of the facts which constitute the grounds of your defense; and (2) a concise statement of the contentions which you intend to place in issue at the Hearing.

INFORMAL SETTLEMENT CONFERENCE

Whether or not you request a Hearing, the EPA encourages settlement of this proceeding consistent with the provisions of RCRA. At an informal conference with a representative of the Complainant you may comment on the charges and provide whatever additional information you feel is relevant to the disposition

of this matter, including any actions you have taken to correct the violation, and any other special circumstances you care to raise. The Complainant has the authority to modify the amount of the proposed penalty, where appropriate, to reflect any settlement agreement reached with you in such a conference, or to recommend that any or all of the charges be dismissed, if the circumstances so warrant. Your request for any informal conference and other questions that you may have regarding this Complaint, Compliance Order, and Notice of Opportunity for Hearing should be directed to Christine J. McCulloch, Assistant Regional Counsel, Waste and Toxic Substance Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, N.Y., 10278, telephone (212) 264-5687.

Please note that a request for an informal settlement conference does not extend the thirty (30) day period during which a written Answer and Request for a Hearing must be submitted. The formal conference procedure may be pursued as an alternative to or simultaneously with the adjudicatory hearing procedure. However, no penalty reduction will be made simply because such a conference is held.

Any settlement which may be reached as a result of such conference will be embodied in a written Consent Agreement and Consent Order to be issued by the Regional Administrator. Your signing of such Consent Agreement would constitute a waiver of your right to request a Hearing on any matter stipulated to therein.

RESOLUTION OF THIS PROCEEDING WITHOUT HEARING OR CONFERENCE

Instead of filing an Answer requesting a hearing or requesting an informal settlement conference, you may choose to comply with the terms of the Compliance Order, and to pay the proposed penalty.

In that case, payment should be made by sending a check in the amount of the penalty specified in the "Proposed Civil Penalty" section of this instrument to the Regional Hearing Clerk EPA Region II, P.O. Box 360188M, Pittsburgh, PA 15251. A copy of the check should also be sent to Christine J. McCulloch, at the address referenced above. Your check must be made payable to the Treasurer of the United States of America.

DATED: 9/23/88

COMPLAINANT


CONRAD SIMON, DIRECTOR

TO: Mr. Robert F. Mitchell
Vice President of Operations
HEUBACH, INC.
256 Vanderpool Street
Newark, New Jersey 07114

cc: Karl Delaney
Assistant Director
Hazardous Waste Enforcement
New Jersey Department of
Environmental Protection
401 East State Street
Trenton, New Jersey 08625

Gerald Burke
Office of Regulatory Services
New Jersey Department of
Environmental Protection
401 East State Street
Trenton, New Jersey 08625

bcc: Joel Golumbek, 2AWM-HWC
Christine J. McCulloch, 2ORC-WTS
Bob Small, RATTs Coordinator
Ton Moy, 2AWM-HWC
Karen Maples, 2RHC-PAB
George Meyer, 2AWM-HWC
Conrad Simon, 2AWM
Jim Sullivan, 2AWM-HWC

Certificate of Service

This is to certify that on the 26th day of September 1988, I served a true and correct copy of the foregoing Complaint and a copy of the Consolidated Rules of Practice by certified mail to Mr. Robert F. Mitchell, Vice President of Operations, Heubach, Inc., 256 Vanderpool Street, Newark, New Jersey, 07114. I hand carried the original and a copy of the foregoing Complaint to the Regional Hearing Clerk.

I Helen V. Samuel

ATTACHMENT I

REASONING BEHIND PROPOSED PENALTY

Pursuant to 40 C.F.R. §22.14(a)(4), (5) (1987), EPA is providing you this statement explaining the reasoning behind the proposed penalty assessed for each violation cited in this Complaint. Attached to this Complaint you will find the EPA Penalty Computation Worksheet ("Worksheet") for each violation for which you have been assessed a proposed penalty. (Attachment II).

RCRA Section 3008(a)(3) (42 U.S.C.A. § 6928(a)(3) (West 1983 & supp. 1987)), states that the seriousness of the violation must be taken into account in assessing penalties. The seriousness of a violation is based on the potential for harm and extent of the deviation from a statutory or regulatory requirement, which provide the basis for determining the gravity based penalty.

EPA is providing you with a copy of the Penalty Assessment Matrix from which the Matrix Cell Range was selected (Attachment III), as well as the following explanation of each entry on the worksheet:

1) For the violation of 40 C.F.R. §268.7(a)(1) (1987):

- The "Potential for Harm" present in this violation was determined to be minor. Even though the required notification was not provided, the restricted waste was sent to an authorized off-site facility for fuels blending, and was not land disposed. Therefore, the upper-point of the applicable matrix cell was chosen.
- The "Extent of Deviation" present in this violation was determined to be major, because the applicable regulation was not complied with.
- Based on these determinations, a "Matrix Cell Range" and "Per-day Assessment" were derived and entered on the attached worksheet. In sum, "Total Penalty Amount" of \$2,990 was determined to be the appropriate for the violation of 40 C.F.R. § 268.7(a)(1) (1987).

2) For the violation of N.J. Admin. Code tit. 7, § 26-7.4 (1987):

- The "Potential for Harm" present in this violation was determined to be moderate. The manifest system is designed to track hazardous waste from the point of generation until its final disposition (cradle to grave) so as to insure the proper disposal of these wastes. Hence, since the hazardous waste codes were incorrect, the statutory purpose of tracking waste was thwarted and the possibility of mishandling the waste was increased. Therefore, the mid-point of the applicable matrix cell was chosen.
- The "Extent of Deviation" present in the violation was determined to be moderate because an essential item required on the manifest was incorrectly reported.

6.	Adjusted Per day Penalty (Line 4, Part I + Lines 1-4, Part II):	<u>\$2,990</u>
7.	Number of Days of Violation:	<u>N/A</u>
8.	Multi Day Penalty (Number of days x Line 6, Part II):	<u>N/A</u>
9.	Economic Benefit of Noncompliance:	<u>N/A</u>
	Justification:	
10.	Total (Line 8 + 9, Part II):	<u>\$2,990</u>
11.	Ability to Pay Adjustment:	
	Justification for Adjustment:	<u>N/A</u>
12.	Total Penalty Amount (must not exceed \$25,000 per day of violation):	<u>\$2,990</u>

ATTACHMENT II

Company Name: HEUBACH, INC.

Regulation Violated N.J. Admin. Code tit. 7, § 26-7.4

Assessments for each violation should be determined on separate work-sheets and totalled.

(If more space is needed, attach separate sheet).

Part I - Seriousness of Violation Penalty

1. Potential for Harm:	<u>Moderate</u>
2. Extent of Deviation:	<u>Moderate</u>
3. Matrix Cell Range:	<u>\$7,999 to 5,000</u>
Penalty Amount Chosen:	<u>\$6,000</u>
Justification for Penalty Amount Chosen:	<u>Mid-point of range (see Attachment I)</u>
4. Per Day Assessment:	<u>\$6,000</u>

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>RESERVED</u>	<u>N/A</u>
2. Degree of willfulness and/or negligence:	<u>RESERVED</u>	<u>N/A</u>
3. History of noncompliance	<u>RESERVED</u>	<u>N/A</u>
4. Other unique factors:	<u>RESERVED</u>	<u>N/A</u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

6. Adjusted Per day Penalty (Line 4, Part I + Lines 1-4 Part II):	<u>\$6,000</u>
7. Number of Days of Violation:	<u>N/A</u>
8. Multi Day Penalty (Number of days X Line 6, Part II):	<u>N/A</u>
9. Economic Benefit of Noncompliance:	<u>N/A</u>
10. Total (Line 8 + 9, Part II):	<u>\$6,000</u>
11. Ability to Pay Adjustment: Justification for Adjustment:	<u>N/A</u>
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	<u>\$6,000</u>

ATTACHMENT III

MATRIX

EXTENT OF DEVIATION FROM REQUIREMENT

P O T E N T I A L F O R H A R M		MAJOR	MODERATE	MINOR
	MAJOR	\$25,000 to 20,000	\$19,999 to 15,000	\$14,999 to 11,000
	MODERATE	\$10,999 to 8,000	\$7,999 to 5,000	\$4,999 to 3,000
	MINOR	\$2,999 to 1,500	\$1,499 to 500	\$499 to 100

SEP 28 1988

RECEIVED MAIL
RETURNED TO SENDER

SEP 28 1988

Mr. Robert E. Mitchell
Vice President of Operations
Heubach, Inc.
Heubach Avenue
Newark, New Jersey 07114

Dear Mr. Mitchell:

This Warning Letter is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 ("RCRA") and the Hazardous and Solid Waste Amendments of 1984 ("HSWA"). 42 U.S.C. §§ 6901, 6926.

EPA records document a number of repetitive violations of 40 C.F.R. Part 262, Subpart B, by Heubach, Inc. On the basis of these findings, the Hazardous Waste Compliance Branch (Chief, Region II, has determined that your facility is operating in violation of the Solid Waste Disposal Act, U.S.C. § 6901 et seq., and the regulations promulgated thereunder.

The following paragraphs indicate the regulatory provisions that have been violated and are the basis for this notice:

40 C.F.R. 262.53(c) requires that except for changes to the telephone number in paragraph (a)(1) of this section, changes to paragraph (a)(2)(v) of this section and decreases in the quantity indicated pursuant to paragraph (a)(2)(iii) of this section when the conditions specified on the original notification change (including any exceedance of the estimate of the quantity of hazardous waste specified in the original notification), the primary exporter must provide EPA with a written notification of the change. The shipment cannot take place until the consent of the receiving country to the changes (except for changes to paragraph (a)(2)(viii) of this section and in the ports of entry to and departure from waste management facilities pursuant to paragraph (a)(2)(iv) of this section) has been obtained and the primary exporter receives an EPA acknowledgment of consent reflecting the receiving country's consent to the changes. EPA records indicate that Respondent exceeded its estimated rate or frequency of export set forth in its original notification of intent to export hazardous waste and Respondent has not submitted a written notification informing EPA of the change in quantity and frequency of export. Therefore, Respondent violated 40 C.F.R. 262.53(c). Respondent shall, within sixty (60) days of the receipt of this instrument, provide EPA's Office of International Activities with a written notification indicating the change in conditions of its exporting activities. 40 C.F.R. 262.54(c) requires that in the manifest section for Special Handling Instructions and Additional Information, the primary exporter must identify the point of departure from the United States. EPA records indicate that Respondent did not identify the point of departure from the United States on its manifests. Therefore, Respondent violated 40 C.F.R. 262.54(c). Respondent shall comply with 40 C.F.R. 262.54(c) for all subsequent exports of hazardous waste.

40 C.F.R. §262.54(d) requires that the following statement must be added to the end of the first sentence of the certification set forth in Item 16 of the Uniform Hazardous Waste Manifest Form: "and conforms to the terms of the attached EPA Acknowledgment of Consent". EPA records indicate that Respondent did not add the required statement to the certification. Therefore, Respondent violated 40 C.F.R. §262.54(d). Respondent shall comply with 40 C.F.R. §262.54(d) for all subsequent exports of hazardous waste.

40 C.F.R. §262.54(i) requires that the primary exporter shall provide the transporter with an additional copy of the manifest for delivery to the U.S. Customs official at the point the hazardous waste leaves the United States in accordance with 40 C.F.R. §263.20(g)(4). U.S. Customs has informed EPA that it has not received copies of the enclosed manifests from the Respondent or its transporters. Therefore, Respondent violated 40 C.F.R. §262.54(i). Respondent shall, within sixty (60) days of the receipt of this instrument, provide U.S. Customs with copies of the enclosed manifests and all other manifests associated with the export of hazardous waste from its facility.

Section 3008 of the Act authorizes the assessment of a civil penalty of up to \$25,000 per day for violations of statutory provisions or relevant regulations. The determination of whether a penalty is to be imposed is based upon various factors, including the nature and seriousness of the violation and the good faith efforts to comply with the applicable requirements. It has been determined in this case that no penalty will be imposed for the violations cited above if the facility corrects all violations cited herein as expeditiously as possible and in no case later than 60 days from the receipt of this letter. Should the cited violations be discovered at this facility in the future, it is likely that an action for the assessment of civil penalty will be initiated. Furthermore, please be advised that this letter in no way precludes future enforcement actions for any other violations.

Please confirm in writing, within 60 days of your receipt of this letter, that the above referenced violations have been corrected and include supporting documentation as appropriate. This confirmation should be addressed to:

George Meyer, P.E., Chief
Hazardous Waste Compliance Branch
Air & Waste Management Division
U.S. Environmental Protection Agency
26 Federal Plaza, Room 1009F
New York, NY 10278

Should you have any questions about this notice or should you wish to discuss this matter further, please contact Mr. James Sullivan at 212/264-0150.

Sincerely yours,

George C. Meyer, P.E., Chief
Hazardous Waste Compliance Branch

Enclosure

cc: C. Meyer, 2004-100
W. Sawyer, 2004-100
L. Livingston, 2004-100 ✓
J. Sullivan, 2004-100
J. Vincent, 2004-100

ALTERNATIVE INFORMATION STATEMENT (PAGE 5)

SECTION VII

List and explain any judgment of liability or conviction under any state or federal statute or local ordinance concerning hazardous waste management against the business concern seeking a permit or against any key employee, officer, director or partner of the business concern. List the action and individual involved in this section and attach additional sheet(s) describing the cause and resolution of the action(s):

<u>Action</u>	<u>Individual or Company Involved</u>
NONE	

if additional pages are appended, indicate page numbers here _____

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SECTION VIII

Provide any other information which has been specifically requested of you by this Department or that relates to the competency and reliability of your personnel and organization; attach additional sheets as required.

if additional pages are appended, indicate page numbers here _____

+++++

ALTERNATIVE INFORMATION STATEMENT (PAGE 6)

SECTION IX: CERTIFICATION

The following certification is to be signed by the individual submitting the permit application:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. N.J.A.C. 7:26-12.2(j)."

Name (type or print) ROBERT MITCHELL

Title V.P. OPERATIONS

Signature Robert F. Mitchell

Date 11/3/87

Kenneth B. Curtis
Notary Public

Sworn to and subscribed before me
on this 3rd day of NOV. 1987

KENNETH B. CURTIS
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 23, 1992

+++++

HEUBACH INC. DIRECTORS AND OFFICERS

<u>NAME</u>	<u>ADDRESS</u>	<u>POSITION</u>	<u>SSN</u>
Rainer Heubach	132 Elm Road Princeton, NJ 08540	Chairman & President	145-76-6765
Wigo Haacke	Lampestrasse 1 Goslar, Fed.Republic of Germany	Director	932-28-7665
Volkert Klaucke	Cedar Cliff Road Riverside, CT 06878	Director	100-62-4926
John P. Rafter	155 Lafayette Ave Hawthorne, NJ 07506	Vice President Finance & Admin. & Assist. Secretary	728-01-2690
Robert F. Mitchell	113 Chestnut Hill Dr. Murray Hill, NJ 07971	Vice President - Operations	138-32-9462
Donald Gray	12 Boxwood Road Piscataway, NJ 08854	Vice President Research & Devel.	128-30-8659
William M.Arnheim	199 Lincoln Road Westfield, NJ 07090	Vice President Marketing	111-28-4092
Richard H. White	911 Waterworks Road Freehold, NJ 07728	Treasurer	517-62-4209
George Berlstein	Walter, Conston, Alexander & Green 90 Park Avenue New York, N.Y. 10016	Secretary	130-20-0233
Rudolph S. Houck	Walter, Conston, Alexander & Green 90 Park Avenue New York, NY 10016	Assistant Secretary	459-74-3043

VANDERPOOL ASSOCIATES DIRECTORS & OFFICERS

<u>NAME</u>	<u>ADDRESS</u>	<u>POSITION</u>	<u>SSN</u>
Werner Hofer	Juergensallee 64 2 Hamburg 52 Fed.Rep.of Germany	Chairman & President	N/A
Rainer Heubach	132 Elm Road Princeton, NJ 08540	Director	145-76-6765
Volkert Klaucke	Cedar Cliff Road Riverside, CT 06878	Director	100-62-4926
John P. Rafter	155 Lafayette Ave. Hawthorne, NJ 07506	Vice President & Asst. Secretary	728-01-2690
George Berlstein	Walter, Conston, Alexander & Green 90 Park Avenue New York, N.Y. 10016	Secretary	130-20-0233
Rudolph S. Houck	Walter, Conston, Alexander & Green 90 Park Avenue New York, NY 10016	Asst. Secretary	459-74-3043

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

5th Fl., 401 E. State St., Trenton, N.J. 08625

2 BABCOCK PL. W. ORANGE, N.J. 07052.
NOTICE OF VIOLATION

ID NO. NJ0002190627

DATE SEP. 30. 87

NAME OF FACILITY HEUBACH Inc.

LOCATION OF FACILITY 256 VANDERPOOL STR. NEWARK, N.J. 07114

NAME OF OPERATOR RALPH HENNING - SR. ENG.

You are hereby NOTIFIED that during my inspection of your facility on the above date, the following violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and Regulations (N.J.A.C. 7:26-1 et seq.) promulgated thereunder and/or the Spill Compensation and Control Act, (N.J.S.A. 58:10-23.11 et seq.) and Regulations (N.J.A.C. 7:1E-1 et seq.) promulgated thereunder were observed. These violation(s) have been recorded as part of the permanent enforcement history of your facility.

DESCRIPTION OF VIOLATION N.J.A.C. 7:26-9.6(f)(4) - failing
to familiarize local hospitals with the
properties of haz. wastes handled.
N.J.A.C. 7:26-9.7(i) - failing to submit the
contingency plan to local authorities.

Remedial action to correct these violations must be initiated immediately and be completed by

OCT. 16. 87. Within fifteen (15) days of receipt of this Notice of Violation, you shall submit in writing, to the investigator issuing this notice at the above address, the corrective measures you have taken to attain compliance. The issuance of this document serves as notice to you that a violation has occurred and does not preclude the State of New Jersey, or any of its agencies from initiating further administrative or legal action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are punishable by penalties of \$25,000 per violation.

Brian S. Proctor
Investigator, Division of Waste Management
Department of Environmental Protection



HEUBACH INC.

HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

October 7, 1987

Saint James Hospital
155 Jefferson Street
Newark, N.J. 07105

Attn: Environmental Records Dept.

Heubach Inc., in accordance with New Jersey's Solid/Hazardous Waste Rule, 7:26-9.6 (f)4, and 7:26-9.7(1), informs you as follows:

7:26-9.6(f)4: Familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or discharges at the facility.

(a) Properties of hazardous waste handled at site:

1. Lead Chromate, Molybdate Orange (hazardous waste).
Please see attached M.S.D.S.
2. Waste Flammable Liquid.
Please see attached laboratory analysis sheet and
M.S.D.S. for Ethyl Acetate and Mineral Spirits.

(b) Types of injuries or illnesses that could result from fires, explosions or discharges at site:

1. Burns -- from fires or from discharges of acids or caustic solutions.
2. Lead poisoning -- from lead dust discharges.
3. Miscellaneous chemical exposures -- from fires, explosions or discharges.

Please see attached list of chemicals and chemical compounds handled on site.

- 2 -

7:26-9.7(1): Submit contingency plans to local authorities.

Enclosed, copy of company's contingency plans.

If I can be of further assistance, please call (201) 596-6242.

Sincerely,

HEUBACH INC.

A handwritten signature in cursive script, reading "Ralph W. Hennings".

Ralph W. Hennings
Sr. Engineer-Environmental & Safety

RWH/ml1
Encl.



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

October 7, 1987

Newark Police Department
649 Market Street
Newark, N.J. 07105

Attn: Captain Nicolas Gesualdo

Dear Captain Gesualdo:

Heubach Inc., in accordance with New Jersey's Solid/Hazardous Waste Rule, 7:26-9.7(i), submits its contingency plans.

Please see enclosures.

If I can be of further assistance, please call (201) 596-6242.

Sincerely,

HEUBACH INC.

Ralph W. Hennings
Senior Engineer-Environmental & Safety

RWH/ml1
Encl.



HEUBACH INC.

HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

October 23, 1987

Environmental Enforcement
Department of Environmental Protection
Division of Environmental Quality
CN-027
Trenton, New Jersey 08625

Attn: Anthony J. McMahon, Assistant Director

Dear Mr. McMahon:

Enclosed, check for \$800.00 as payment for civil administrative penalty, ref. letter "Log No. A871303 MRA".

Heubach Inc. requests an extension concerning (P & CT No. 013294) powerhouse boilers stack. The permit, modification to existing equipment, application was submitted on September 2, 1987, but has not been issued to date.

Sincerely,

HEUBACH INC.

A handwritten signature in cursive script that reads "Ralph W. Hennings".

Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH/ml1

Encl.

cc: Andrew C. Tynan
Air Pollution Control
Metro Region
2 Babcock Place
West Orange, N.J. 07052



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027, TRENTON, NJ 08625



IN THE MATTER OF	:	ADMINISTRATIVE ORDER AND
HEUBACK, INC.	:	
265 VANDERPOOL STREET	:	NOTICE OF CIVIL ADMINISTRATIVE
NEWARK, N.J. 07114	:	
LOG #A860475 MRO	:	PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

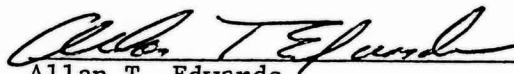
1. As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.

ORDER

2. NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
3. Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.

4. Pursuant to N.J.S.A. 26:2C-14.1 you are entitled to a hearing if aggrieved by this Order and Notice. Application for such a hearing must be made pursuant to N.J.A.C. 1:1-6.1(b) and must be received by the Department within twenty (20) calendar days from receipt of this Order and Notice. In applying for such hearing, you must furnish the Department with the information listed in Paragraph A of Attachment I. If no request for a hearing is received within twenty (20) calendar days, this Order and Notice shall become a final Order and the Penalty will then become due and payable. A hearing request does not stay the terms or effect of this Order.
5. The provisions of this Order and Notice shall be binding on you, your principals, agents, employees, successors, assigns, tenants and any trustee in bankruptcy or receiver appointed pursuant to a proceeding in law or equity.
6. No obligations imposed by this Order and Notice, with the exception of Paragraph 3, are intended to constitute a debt, damage claim, penalty or other civil action which should be limited or discharged in a bankruptcy proceeding. All obligations imposed by this Order shall constitute continuing regulatory obligations imposed pursuant to the police powers of the State of New Jersey, intended to protect the public health, safety and welfare.
7. NOTICE IS GIVEN, that pursuant to N.J.S.A. 26:2C-19(b) and N.J.S.A. 26:2C-19(d), any person who violates the provisions of the Act, or any code, rule regulation or order promulgated or issued pursuant thereto, or who fails to pay a civil administrative penalty in full, shall be liable to a penalty of up to \$10,000 for the first offense, \$25,000 for the second offense, and \$50,000 for the third and each subsequent offense.

Dated: May 12, 1986


 Allan T. Edwards
 Acting Assistant Director
 Enforcement Element

ATTACHMENT I

- A. Pursuant to the provisions of N.J.A.C. 1:1-6.1(b), the applicant in its application for an administrative hearing shall furnish the Department with the following:
- (a) A statement of the legal authority and jurisdiction under which the hearing or action to be taken is to be held;
 - (b) A reference to the particular sections of the statutes and rules involved;
 - (c) A short and plain statement of the matters of fact and law asserted; and
 - (d) The Order or Notice provisions to which the applicant objects, the reasons for such objections, and any alternative provisions proposed by the applicant.
- B. Any submission of information required by the attached Order and Notice shall be made to:
- Allan T. Edwards
Acting Assistant Director
Enforcement Element
Division of Environmental Quality
CN-027
Trenton, New Jersey 08625
- C. Should you have any questions concerning this Order and Notice, please contact Mr. Marvin C. Makler, Supervisor, Administrative Actions, (609) 984-9480.

Sharpe James
Mayor

Fire Department
Division of Fire Prevention
and Life Safety

1010 - 18th Avenue
Newark, New Jersey 07106

Claude M. Coleman
Director

October 13, 1987

Heubach Inc.
Ralph W. Henninger
256 Vanderpool St.
Newark, NJ 07114

Sir:

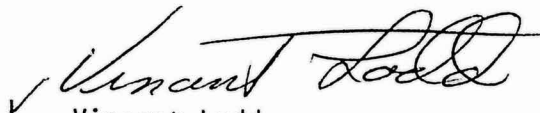
I have reviewed your Emergency Procedure Plan that you submitted to the Newark Fire Prevention and Life Safety Division.

I have the following comments:

1. Their notification of an emergency to the Newark Fire Department is omitted from page one or two. In the event of an emergency, the Newark Fire Department provide both Firefighting equipment and a Haz-Mat Unit to respond.
2. No notification noted for New Jersey Department of Environmental Protection, Newark Health Department, or the City's Emergency Management Office.

I am forwarding a copy of your Emergency Procedure and list of material to the Haz-Mat Unit and the District Inspector, Vito Finetti.

Respectfully yours,



Vincent Ladd,
Fire Inspector/Investigator
Fire Prevention & Life Safety

VL:ej

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
120 ROUTE 156, YARDVILLE, N.J. 08620

NOTICE OF VIOLATION

ID NO. NJD 002190627 DATE APRIL 11, 86
NAME OF FACILITY HEUBACH INC.
LOCATION OF FACILITY 256 VAN DUSEN ST. NEWARK NJ 07104
NAME OF OPERATOR RALPH W. HARRIS, SR. ENG., OWNER & SGT.

You are hereby NOTIFIED that during my inspection of your facility on the above date, the following violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and Regulations (N.J.A.C. 7:26-1 et seq.) promulgated thereunder and/or the Spill Compensation and Control Act, (N.J.S.A. 58:10-23.11 et seq.) and Regulations (N.J.A.C. 7:1E-1 et seq.) promulgated thereunder were observed. These violation(s) have been recorded as part of the permanent enforcement history of your facility.

DESCRIPTION OF VIOLATION 7:26-9.4(b) inadequate waste analysis plan;
- 9.4(f)3 inadequate inspection program (only ^{covers} mat'l behind bldg 37);
- 9.4(g) inadequate personnel training program and record keeping;
- 9.8 No closure plan; - 9.4(h) unmarked waste entrances;
- 9.4(i)5 inadequate inspection schedule (weekly); - 9.4(i)1 Several
waste entrances not properly closed

Remedial action to correct these violations must be initiated immediately and be completed by

* May 31 86

May 12, 86. Within fifteen (15) days of receipt of this Notice of Violation, you shall submit in writing, to the investigator issuing this notice at the above address, the corrective measures you have taken to attain compliance. The issuance of this document serves as notice to you that a violation has occurred and does not preclude the State of New Jersey, or any of its agencies from initiating further administrative or legal action, or from assessing penalties, with respect to this or other violations. Violations of these regulations are punishable by penalties of \$25,000 per violation.

[Signature]
Investigator, Division of Waste Management
Department of Environmental Protection



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

October 9, 1987

New Jersey Dept. of Environmental Protection
Division of Hazardous Waste Management
2 Babcock Place
West Orange, N.J. 07052

Attn: Boleslaw Czachor

Dear Mr. Czachor:

Enclosed, copies of letters sent to required local authorities
concerning violation(s):

NJAC 7:26-9.6(f)4 and
NJAC 7:26-9.7(i)

Sincerely,

HEUBACH INC. (NJD 002190627)

Ralph W. Hennings
Sr. Eng. - Environmental & Safety

RWH/ml
Encl.



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

October 7, 1987

Newark Fire Dept.
1010 - 18th Avenue
Newark, N.J. 07106

Attn: Nicholas Ianuzeli, Inspector

Dear Inspector Ianuzeli:

Heubach Inc., in accordance with New Jersey's Solid/Hazardous Waste Rule, 7:26-9.7(i), submits its contingency plans.

Please see enclosures.

If I can be of further assistance, please call (201) 596-6242.

Sincerely,

HEUBACH INC.

A handwritten signature in dark ink, appearing to read "Ralph W. Hennings". The signature is fluid and cursive, written over a light background.

Ralph W. Hennings
Senior Engineer-Environmental & Safety

RWH/ml
Encl.



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
401 East State St.
CN 028
Trenton, N.J. 08625
609 - 633 - 1408

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
P-592 171 834

Ralph W. Hennings
Heubach Inc.
Heubach Avenue
Newark, NJ 07114

AUG 20 1987

Dear Mr. Hennings:

RE: Heubach Inc., Newark, EPA ID NO. NJD 002 190 627

The Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) authorized the New Jersey Department of Environmental Protection (NJDEP) to establish a program requiring permits for hazardous waste treatment, storage or disposal facilities. NJDEP has issued regulations to implement this permit program, which can be found under N.J.A.C. 7:26-1.1 et seq.

Pursuant to these regulations, specifically N.J.A.C. 7:26-12.3, your facility has been operating as an existing facility since the New Jersey Hazardous Waste Management Regulations (N.J.A.C. 7:26-1.1 et seq.) became effective on October 8, 1981. Our records show that you have submitted either Part A of the USEPA RCRA Permit Application or Part A of the New Jersey Hazardous Waste Facility Permit Application. If necessary, your Part A application shall be revised to reflect the requirements of N.J.A.C. 7:26-1.1 et seq. Forms may be obtained from this office or U.S.E.P.A. Region II at (212) 264-9880.

This letter shall constitute an official request for the complete New Jersey Hazardous Waste Facility Permit Application, which shall include items set forth in Attachment I. Please note that Item 7 requires the submittal of information pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA). The State of New Jersey is not yet authorized to administer the provisions in HSWA, therefore the attached letter shall constitute EPA's request for the HSWA portion of the permit application. Your permit application should be prepared to both the HSWA and pre-HSWA requirements.

Your alternative information statement and affidavit should be submitted no later than three (3) months from the date of this letter.

AUG 20 1987

The remaining sections of your application should be submitted no later than six (6) months from the date of this letter. Failure to submit the required application by this date shall constitute grounds for termination of existing facility status pursuant to N.J.A.C. 7:26-12.3(f)2.

As stated above, your full application is not due until six (6) months from the date of this letter. However, I would encourage you to start work on it as early as possible because there is a significant amount of information to be submitted. Initially, all applicants shall submit three (3) copies of the application. Two copies shall be submitted to:

Ernest J. Kuhlwein, Acting Chief
Bureau of Hazardous Waste Engineering
Division of Hazardous Waste Management
New Jersey Department of Environmental Protection
401 East State Street, 5th Floor
Trenton, NJ 08625

The remaining copy shall be submitted to:

Barry Tornick, Chief
New Jersey/Caribbean Permit Section
U.S. Environmental Protection Agency
Region II (2AWM-SW)
26 Federal Plaza
New York, New York 10278

The Department will notify the applicant as to how many additional copies are needed for distribution to appropriate state and local authorities when it completes its initial evaluation of the application.

Should you wish to treat part of your application as confidential information, please refer to Attachment II, which outlines the procedures to be followed in making this claim.

I have taken the liberty of scheduling two (2) application conferences in order to assist you in preparing this application. These conferences have been scheduled for October 19, 1987 and December 14, 1987 at 10:00 am. These conferences will be held in the conference room, 401 East State Street, 5th floor, Trenton, New Jersey 08625. If it is determined that one or both of these conferences is unnecessary, please notify my office of the cancellation.

AUG 20 1987

Should you have any questions regarding this official request to submit your Hazardous Waste Facility Permit Application, please do not hesitate to contact Michael Gerchman or Bill Sharples of my staff at (609) 292-9880.

Very truly yours,



Ernest J. Kuhlwein, Jr., Acting Chief
Bureau of Hazardous Waste Engineering

EP62/slw

Attachments

c: Barry Tornick, USEPA

DOCUMENT: PARTB2
FOLDER: HWEMCB



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027,



LOG #A860475 MRO ORDER COMPLIANCE
EFFECTIVE 4/23/87 EXTENDED TO 6/23/87

- ☐ SUBMIT P/CT APPLICATION(S)
- ☒ COMPLETE OUR REVIEW OF P/CT
- ☐ COMPLETE STACK TEST/ANALYSIS
- ☐ CONFERENCE AND/OR HEARING REQUEST

Harold E. Christy

IN THE MATTER OF
HEUBACK, INC.
265 VANDERPOOL STREET
NEWARK, N.J. 07114
LOG #A860475 MRO

NOTICE OF CIVIL ADMINISTRATIVE

PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

1. As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.

ORDER

2. NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
3. Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.

- ° Based upon these determinations, a "Matrix Cell Range" and "Per-day Assessment" were derived and entered on the attached worksheet. In sum, the "Total Penalty Amount" of \$6,000 was determined to be appropriate for the violation of N.J. Admin. Code tit. 7, § 26-7.4 (1987).

ATTACHMENT II

Company Name: HEUBACH, INC.

Regulation Violated 40 C.F.R. §268.7(a)(1)

Assessments for each violation should be determined on separate work-sheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

- | | |
|--|--|
| 1. Potential for Harm: | <u>MINOR</u> |
| 2. Extent of Deviation: | <u>MAJOR</u> |
| 3. Matrix Cell Range: | <u>\$2,990 - 1,500</u> |
| Penalty Amount Chosen: | <u>\$2,990</u> |
| Justification for Penalty Amount Chosen: | Upper-point of range
(see Attachment 1) |
| 4. Per Day Assessment: | <u>\$2,990</u> |

Part II - Penalty Adjustments

- | | <u>Percentage Change*</u> | <u>Dollar Amount</u> |
|---|---------------------------|----------------------|
| 1. Good faith efforts to comply/lack of good faith: | <u>RESERVED</u> | <u>N/A</u> |
| 2. Degree of willfulness and/or negligence: | <u>RESERVED</u> | <u>N/A</u> |
| 3. History of noncompliance | <u>RESERVED</u> | <u>N/A</u> |
| 4. Other unique factors: | <u>RESERVED</u> | <u>N/A</u> |
| 5. Justification for Adjustments: | | |

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF WATER RESOURCES
 CN 029
 TRENTON, NEW JERSEY 08625

GEORGE G. McCANN, P.E.
 DIRECTOR

DIRK C. HOFMAN, P.E.
 DEPUTY DIRECTOR

1/6/88 ✓ CMT 9: CO is IWMF

Mr. Robert F. Mitchell
 Vice President - Engineering & Services
 Heubach Inc.
 Heubach Avenue
 Newark, New Jersey 07114

JUN 19 1987

CERTIFIED MAIL
 RETURN RECEIPT REQUESTED

Dear Mr. Mitchell:

RE: NJPDES/SIU Permit Exemption
 Heubach Inc. (Formerly E.I. Dupont De Nemours & Co., Inc.)
 Newark, New Jersey
 EPA I.D. No. NJD 002 190 627

This is in response to your letter to the Bureau of Industrial Waste Management dated November 5, 1984, concerning the classification of Heubach Inc. as an Industrial Waste Management Facility (IWMF).

The "wastewater treatment unit", for which your company filed a revised RCRA Part A application as a treatment facility, has been determined to be under the scope of the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1.1 et seq. The company is subject to the Industrial Waste Management Facility (IWMF) requirements of Subchapter 4 of the New Jersey Pollutant Discharge Elimination System (NJPDES) Regulations, N.J.A.C. 7:14A-1.1 et seq. Enclosed is an IWMF worksheet which shows the basis of our determination.

IWMF's are presently required to obtain individual NJPDES/SIU permits pursuant to N.J.A.C. 7:14A-10.5 (a)(1)(ii). However, most SIU's which are discharging to Publicly Owned Treatment Works (POTW's) that have an Industrial Pretreatment Program (IPP) approved by the New Jersey Department of Environmental Protection (Department) are exempted from the requirement to obtain an individual NJPDES/SIU permit in accordance with N.J.A.C. 7:14A-10.5(f). The Department has changed its policy regarding the implementation of the IWMF Regulations and proposes to extend this exemption to most IWMF's located in POTW areas covered by approved IPP's. Accordingly, the Department will not require you to obtain an individual NJPDES/SIU permit.

IWMF's which do not receive individual NJPDES/SIU permits, however, are deemed to possess a NJPDES/IWMF permit-by-rule (N.J.A.C. 7:14A-4.5(a)(3)) and a NJPDES/SIU permit-by-rule (N.J.A.C. 7:14A-13.5). The conditions applicable to a NJPDES/IWMF permit-by-rule and a NJPDES/SIU permit-by-rule are enclosed with this letter. Permit-by-rule status can be revoked, for cause, as specified in the NJPDES Regulations. As a POTW with an approved IPP, the Passaic Valley Sewerage Commissioners (PVSC) is responsible for ensuring your compliance with all environmental regulations affecting your discharge to the sewer system.

This action does not relieve Heubach Inc. of the responsibility for complying with the hazardous waste generation and accumulation requirements of the New Jersey Hazardous Waste Regulations, N.J.A.C. 7:26-1 et seq. Hazardous waste sludges generated from any wastewater treatment units may accumulate on-site for 90 days or less provided that:

- (1) All such waste is, within 90 days or less, shipped off-site to an authorized facility;
- (2) The waste is placed in containers which meet the standards of N.J.A.C. 7:26-7.2 and are managed in accordance with N.J.A.C. 7:26-9.4(d);
- (3) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
- (4) The facility complies with the requirements for owners and operators of N.J.A.C. 7:26-9.6 and 9.7 concerning preparedness and prevention, contingency plans, emergency procedures, and personnel training as per N.J.A.C. 7:26-9.4(g).

Any accumulation of such sludges for any period longer than 90 days would constitute a hazardous waste TSD storage facility, and would be subject to regulation under N.J.A.C. 7:26-1 et seq.

If there are any questions concerning this letter, please contact Valentin Kouame of my staff at (609) 292-4860.

Sincerely,

William F. Boehle

William F. Boehle, P.E., Acting Chief
Industrial Pretreatment Section
Bureau of Industrial Waste Management

WQM216:vk

c: Ernest J. Kuhlwein, Jr. - DHWM
Shirlee Schiffman - DHWM
Joel Golumbek - EPA Region II
Frank D'Ascensio - PVSC

Enclosures

INDUSTRIAL WASTE MANAGEMENT FACILITY (IWMF) WORKSHEET

1. Name: HEUBACH INC.
Mailing Address: 256 VANDERPOOL ST. NEWARK, NEW JERSEY 07114
Location Address: " " " " " " " " " "
Facility Contact: ROBERT F. MITCHELL
Telephone No.: (201) 242-1800 RCRA ID No.: NJD 002 190 627
Facility NJPDES No.: NJ0028207 Type: X DSW DGW FORMER SIU None
Receiving POTW, if any: PVSC POTW NJPDES No. NJ0021016
2. Description of Waste Source(s): GENERATED FROM THE
MANUFACTURING OF INORGANIC AND ORGANIC PIGMENTS.
3. The Waste Source is:
X Intracompany/Intrastate Intercompany/Intrastate
4. Operational Units comprising the treatment works (describe):
Unit #1: FILTER PRESS: TO REMOVE ALL SUSPENDED SOLIDS
Unit #2: COLLECTION TANK: RECEIVES REFILTERED WASTEWATER
Unit #3: FIRST TREATMENT TANK: TO PRECIPITATE CHROME
Unit #4: FILTER PRESS: TO DEWATER THE LEAD CHROMATE (RECYCLED OR LANDFILLED).
Unit #5: COLLECTION TANK: RECEIVES FILTRATE FROM UNIT #4
Unit #6: FILTER PRESS: TO REMOVE EXCESS SOLIDS
Unit #7: SECOND TREATMENT TANK: TO PRECIPITATE LEAD AND ZINC.
Unit #8: FILTER PRESS: TO REMOVE LEAD CARBONATE (RECYCLED OR LANDFILLED)
5. Criteria (For each item indicate Yes, No, N/A, etc.):
- a. Is there an influent wastewater? YES
Is it hazardous? YES
If yes, list waste type. D002, D007, D008
- b. Does the treatment works generate (G), store (S), or treat (T) a wastewater treatment sludge or residue? YES
If yes, which units are involved, and what function do they perform? 1(T,G), 4(T,G), 6(T,G), 8(T,G)
Is it hazardous? YES
If yes, list waste type(s): K002, K003, K004
- c. Is the unit a "tank" as per NJAC 7:14A-4.3? YES
6. Conclusions: Is the facility an IWMF? YES
7. Comments: THE FACILITY IS NOT A HAZARDOUS WASTE FACILITY (HWF)
BECAUSE IT WILL STORE CONTAINERIZED/DRUMMED HAZARDOUS
WASTE FOR LESS THAN NINETY (90) DAYS.
ALL INTEGRAL UNITS OF THE WASTEWATER PRETREATMENT SYSTEM ARE PART OF THE IWMF.



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

April 14, 1987

N.J. Department of Environmental Protection
Division of Environmental Quality
401 East State Street
CN 027
Trenton, NJ 08625
ATTN: Mr. A. McMahon

Dear Mr. McMahon:

Heubach, Inc. requests an extension concerning permits and certificates required, once again, referenced in letter dated May 12th, 1986, by Mr. Allen T. Edwards and log #A860475 MRO.

I have tried to contact Mr. Bob Coleman this past week and today but to no avail. I have received P./C. #076707, N.J. Stack #171, Vat 280 Dumphood and Vent Air Relief but not the 4 others pending.

If you have any questions, please feel free to contact me at (201) 596-6242.

Sincerely,

HEUBACH, INC.

A handwritten signature in cursive script that reads "Ralph W. Hennings".

Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWII:mr



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
CN 027,



LOG # A860475 MRO ORDER COMPLIANCE
EFFECTIVE 2-13-87 EXTENDED TO 4-15-87

- ☐ SUBMIT P/CT APPLICATION(S)
☒ COMPLETE OUR REVIEW OF P/CT
☐ COMPLETE STACK TEST/ANALYSIS
☐ CONFERENCE AND/OR HEARING REQUEST

IN THE MATTER OF
HEUBACK, INC.
265 VANDERPOOL STREET
NEWARK, N.J. 07114
LOG #A860475 MRO

NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT

This ORDER and NOTICE are issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (the "Department") by N.J.S.A. 13:1D-1 et seq., and the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq. (the "Act"), and duly delegated to the Assistant Director for Enforcement of the Division of Environmental Quality pursuant to N.J.S.A. 13:1B-4.

FINDINGS

- As the result of an investigation conducted on March 6, 1986, the Department has determined that at your facility located at 265 Vanderpool Street, City of Newark, Lot(s) 1, Block(s) 1172, County of Essex, State of New Jersey, (ID #05003) you used the equipment and/or control apparatus associated with Permit(s) to Construct, Install or Alter Control Apparatus or Equipment and Certificate(s) to Operate Control Apparatus or Equipment (P & CT(s) see below) without fulfilling all conditions and provisions of the Permit(s) and Certificate(s), in violation of N.J.A.C. 7:27-8.3(e)1 by connecting a sigma blade mixer to the "Torit" dust collector covered by Permit/Certificate #70764, and by connecting a vat dump hood to the "Torit" dust collector covered by Permit/Certificate #71542.

ORDER

- NOW, THEREFORE, IT IS HEREBY ORDERED THAT on or before June 2, 1986, you cease operation of the equipment listed in Paragraph 1 above or operate said equipment in accordance with the above Permit(s) and Certificate(s) or obtain the required Permit(s) and Certificate(s) for such equipment. Such Permit(s) and Certificate(s) may be obtained by submitting application(s) VEM-003 and VEM-004 to the Bureau of Air Pollution Control for approval.
- Based upon the above FINDINGS, and a review of the entire matter, the Department hereby assesses a Civil Administrative Penalty against you in the amount of \$800.00. Payment must be submitted to the Department within twenty (20) calendar days of receipt of this Order and Notice unless you request a hearing in accordance with the provisions of Paragraph 4 below. Payment must be made to the Department at the address listed in Paragraph B of Attachment I.



HEUBACH INC.
HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800

March 6, 1987

State of New Jersey
Dept. of Environmental Protection
Div. of Environmental Quality
401 East State Street
CN-027
Trenton, N.J. 08625

Attn: Bob Coleman

Dear Mr. Coleman:

Please reference letter to Mr. McMahon, dated 2/3/87, second paragraph, revision to application (#70764) VEM-003, section C, item 6.

VEM-003 - Glass-lined reactor #1 dump hood and sigma blade mixers
#1 and #2 dump hoods air relief.

Please change item 6, section C, discharge height above ground
to 40 feet.

If there are any questions, please call (201) 596-6242.

Sincerely,

HEUBACH INC.

A handwritten signature in cursive script that reads "Ralph W. Hennings". The signature is written in dark ink and is positioned above the typed name and title.

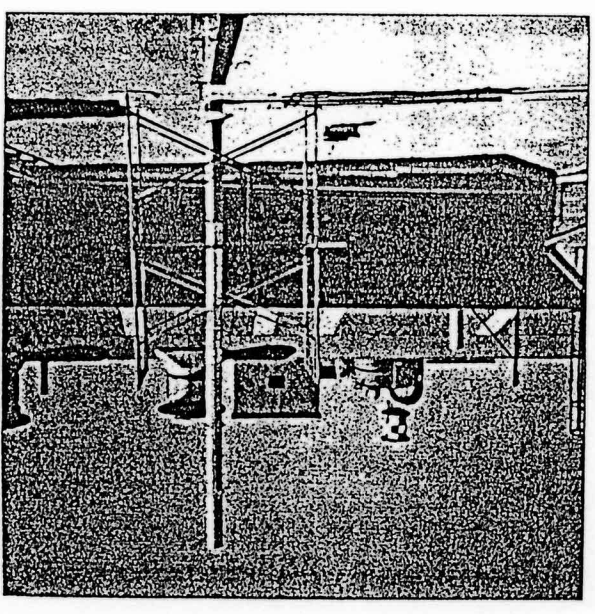
Ralph W. Hennings
Senior Engineer
Environmental & Safety

RWH/mil

Encl.: Pictures before and after

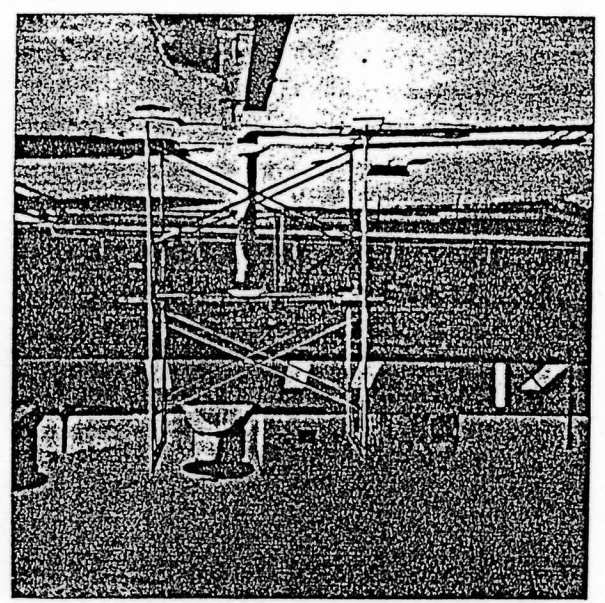
LOOKING
EAST

3/6/86



LOOKING
EAST

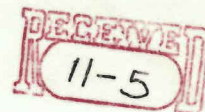
3/5/86





HEUBACH INC.

HEUBACH AVENUE
NEWARK, NEW JERSEY 07114
201-242-1800



November 5, 1987

Bureau of Hazardous Waste Engineering
Division of Hazardous Waste Management
New Jersey Department of Environmental Protection
401 East State Street, 5th Floor
Trenton, N.J. 08625

NJD 002190627

Attn: Ernest J. Kuhlwein, Acting Chief

Dear Mr. Kuhlwein:

Heubach Inc. is submitting part "A" application as required. Part "B" application will not be submitted at this time. We have been able to keep our shipments of hazardous waste to less than 90 days for the past two years and are actively engaged in seeking additional lead smelters who will take all our hazardous waste for lead reclaiming and thus allow us to ship our drums prior to the 90 day expiration date.

If we find we cannot meet the 90 day limit, we will submit part "B".

Sincerely,

HEUBACH INC.

R. F. Mitchell
V.P. Operations

/mil
Encl.

AFFIDAVIT OF EXEMPT OPERATOR UNDER
N.J.S.A. 13:1-E-127.g.

I, the undersigned, am the duly authorized representative of

HEUBACH INC.

(name of applicant)

an applicant for a solid or hazardous waste license from the New Jersey Department of Environmental Protection. I hereby certify that the applicant named above is EXEMPT from the requirement to file a disclosure statement for the following reason(s):

(check and initial all applicable statements)

(STATE
AGENCY)

☐

The applicant is a department, division, agency, commission or authority of the State of _____.

(COUNTY or
MUNICIPAL)

☐

The applicant is a county or municipality, or a county or municipal agency of the State of _____.

(FEDERAL
AGENCY)

☐

The applicant is a department, division, agency, commission or authority of the United States Government.

(SELF-
DISPOSER,
GENERAL)

☒

The application is solely for the collection, transportation, treatment, storage or disposal of solid waste or hazardous waste generated by the applicant or the applicant's own business.

(SELF-
DISPOSER,
HAZARDOUS
WASTE)

☐

The application is for the operation of a hazardous waste facility and 75 percent or more of the total design capacity will be utilized to treat, store or dispose of waste generated by the applicant.

(PRECIOUS
METAL
RECYCLER)

☐

The application is for the operation of a hazardous waste facility classified as such solely as the result of the recycling or refining of hazardous wastes which are or contain gold, silver, osmium, platinum, palladium, iridium, rhodium, ruthenium or copper.

(ACTIVATED
CARBON)

☐

The application is solely for the collection, transportation, treatment, storage or disposal of granular activated carbon used in the adsorption of hazardous waste.

I swear (or affirm) that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 11/3/87

Robert F. Mitchell
(signature)

KENNETH B. CURTIS

NOTARY PUBLIC OF NEW JERSEY

Sworn to and subscribed before me this 30 day of November, 1987

COMMISSION EXPIRES JUNE 23, 1992

Robert F. Mitchell

(printed name and title)

Kenneth B. Curtis
(signature of notary)

V.P. Operations

ALTERNATIVE INFORMATION STATEMENT

Name, address and identification of business concern seeking a permit:

NAME HEUBACH INC. ADDRESS HEUBACH AVENUE, NEWARK, NJ 07114
NEW JERSEY STERN-TAX IDENTIFICATION NUMBER (if applicable) -
FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID) 13-3191618

SECTION I.a

Enter the names, addresses, positions, and Social Security Account Numbers (SSAN) of all officers, directors, or partners of the business concern seeking a permit:

<u>Name</u>	<u>Address</u>	<u>Position</u>	<u>SSAN</u>
<u>see attached</u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
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<u></u>	<u></u>	<u></u>	<u></u>
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<u></u>	<u></u>	<u></u>	<u></u>

if additional pages are appended, indicate page numbers here 7 & 8

SECTION I.b

Enter the names, addresses, and identification numbers (SSAN for individual, and Stern ID or FEID for business) of all persons or business concerns holding more than ten percent (10%) of the equity in, or more than ten percent (10%) of the liability of, the business concern seeking a permit:

<u>Name</u>	<u>Address</u>	<u>ID Number</u>
<u>Vanderpool Assoc.</u>	<u>Heubach Ave., Newark, NJ 07114</u>	<u>22-2495334</u>
<u>Rainer Heubach</u>	<u>See above</u>	<u>above</u>
<u>Wigo Haacke</u>	<u>" "</u>	<u>"</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

if additional pages are appended, indicate page numbers here

ALTERNATIVE INFORMATION STATEMENT (PAGE 2)

SECTION II.a

Enter the names, Social Security Account Numbers (SSAN), addresses, and positions of all officers, directors, or partners of any business concern disclosed in Section I.b:

<u>Name of Company</u>	<u>Name of Person and SSAN</u>	<u>Address</u>	<u>Position</u>
<u>Vanderpool Assoc.</u>	<u>see attached</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
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<u></u>	<u></u>	<u></u>	<u></u>

if additional pages are appended, indicate page numbers here 8

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SECTION II.b

Enter the names, addresses, and Social Security Account Numbers (SSAN) of all persons holding more than ten percent (10%) of the equity in, or more than ten percent (10%) of the debt liability of, any business concern disclosed pursuant to Section I.b:

<u>Name</u>	<u>Address</u>	<u>SSAN</u>
<u>Rainer Heubach</u>	<u>See I. a</u>	<u></u>
<u>Wigo Haacke</u>	<u>" "</u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

if additional pages are appended, indicate page numbers here _____

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ALTERNATIVE INFORMATION STATEMENT (PAGE 3)

SECTION III

Enter the names and identification numbers (N.J. Stern or Federal Employer #) of all companies in the field of hazardous waste management in which the business concern seeking a permit, or those individuals listed in Section I.a., hold an equity interest:

<u>Name of Company</u>	<u>ID #</u>	<u>Name of Equity Holder</u>
NONE		

if additional pages are appended, indicate page numbers here _____

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SECTION IV

Describe the experience, credentials, and licenses in the field of hazardous waste management possessed by the key employees, officers, and directors of the business concern seeking a permit. List the names and positions of the appropriate individuals on this page and attach additional pages containing the descriptive matter; resumes may be used. The information must include Social Security Account Numbers for the purpose of positive identification:

<u>Name</u>	<u>Position</u>	<u>Name</u>	<u>Position</u>
NONE			

indicate page numbers of additional sheets _____

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ALTERNATIVE INFORMATION STATEMENT (PAGE 4)

SECTION V

Enter the names, addresses for the past ten (10) years, and birth dates of all persons listed in Sections I, II, and IV:

<u>Name</u>	<u>Addresses last 10 years</u>	<u>Birth date</u>
R. Heubach	prior to Jan., 84: Nonnenweg 14, Goslar, W. Germany 1984-present: 132 Elm Rd., Princeton NJ 08540	1/28/44
J. Rafter	1977-1980: 181 Grove St., Ramsey, NJ 07446 1980-present: 155 Lafayette Ave., Hawthorne, NJ 07506	5/10/32
R. Mitchell	3/31/68-8/31/84: 87 Henshaw Ave., Springfield, NJ 07081 8/1/84 -present: 113 Chestnut Hill Dr., Murray Hill, NJ	3/5/41
D. Gray	12 Boxwood Rd., Piscataway, NJ 08854	2/21/41
W. Arnheim	1969-1983: 751 St. Marks Ave., Westfield NJ 07090 1983-present: 199 Lincoln Rd., Westfield, NJ 07090	12/31/34
R. White	1977-78: 8 Farm Ave., Wilmington DE 1978-1981: 9 Hamilton St., Gulfport, MISS 1981-present: 911 Waterworks Rd., Freehold NJ	2/5/50

if additional pages are appended, indicate page numbers here _____

SECTION VI

List and explain any notices, administrative orders, or license revocations issued by an state or federal authority citing violation of any environmental regulation against the business concern seeking a permit or against any key employee, officer, director or partner of the business concern. List below the type of action and the individual or company cited, and attach additional sheet(s) describing the nature and resolution of the citation(s):

<u>Nature of Action</u>	<u>Issuing Agency</u>	<u>Issued to</u>
see attachments		

if additional pages are appended, indicate page numbers here _____
